

The Peace of the Gods

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The Peace of the Gods



*Elite Religious Practices
in the Middle Roman Republic*

CRAIGE B. CHAMPION

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In Memoriam

John Arthur Hanson

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PREFACE

For many years now, I have been teaching, thinking about, writing on, and reconstructing in my imagination the world of the Roman Republic, and I have wrestled with a particular historical problem. There is a remarkable statement in the history of Polybius, who maintains that Roman elites used religious ceremony and ritual to awe and cow the gullible, common people (6.56). This passage puzzled me when I first read it as an undergraduate student, and as I studied and learned more about republican Rome, it became no less troubling. I call this idea—that is, that Roman elites employed religion to control nonelites—“elite-instrumentalism.” For a long time, modern scholars of ancient Rome more or less agreed with Polybius, but today most classicists and ancient historians would say that we have left his interpretation far behind us (though, as I shall argue, it lingers in even the most recent work on Roman religion). My engagement with “elite-instrumentalism” in this book is therefore decidedly *not to refute it* (though perhaps my arguments will help to circumscribe its residual presence in our discussions). To do so, as one friend and colleague reminded me, would be “to beat a dead horse” (or, I would say, at least a moribund one).

I am interested in elites’ religious activities and what they meant to their elite practitioners in the Middle Roman Republic. This entails opening the proverbial can of worms: how can one hope to recapture subjective, interior, psychological states of historical agents? It is here that “elite-instrumentalism” can help. I engage with it as a counterfactual interpretative strategy. Considering Roman elites’ religious behaviors from an elite-instrumentalist perspective, we can see those behaviors in high relief; we can infer—with the help of psychological studies—what their experiences were likely to have been; and rule out what they definitely were not.

If we are no longer beholden to a Polybian view of elite religion at Rome, what currently stands in its place in contemporary scholarship is, to my mind, no more satisfying. For a generation or so, we have been told that Roman religion was a religion of form, action, and ritual practice and not a religion of belief and internalized, psychological, subjective states of being. To be so bold as to mention the idea of “belief” in a scholarly discussion of Roman religion is to risk being dismissed as naively and inappropriately introducing “Christianizing assumptions” into an area where they do not belong. Roman religion, according to the current orthodoxy, is a matter of *savoir faire*, not *savoir penser*.

The winds, however, have been changing, and they are gathering force.¹ For ancient Greek religion, we now have Andrej and Ivana Petrovic's study of purity and pollution in Greek religion, which reconstructs inner states of individual worshippers as they approached the gods.² Jennifer Larson has recently written on ancient Greek religion from the perspective of cognitive science.³ For Roman religion, Jörg Rüpke heads the "Lived Ancient Religion" project, funded by the European Research Council for the period from 2012 through 2017. This collaborative team of scholars is focusing on experiences and beliefs, and putting the individual and individual experience back into the study of Roman religion. In a forthcoming book (also with the Princeton University Press), tentatively titled *Belief and Cult in Republican Rome: From Intuitions to Institutions*, Jacob L. Mackey dissolves the belief-action dichotomy and shows how "belief denialism" became orthodoxy in scholarship on Roman religion by the late twentieth century. He cogently argues for the reinstatement of "belief" as "the representation of states of affairs," and an important component in "shared intentionality," which includes various types of "collective cognitive episodes." The widely held view—that is, Roman religion as *savoir faire* as opposed to *savoir penser*—is a dead-end for many of the questions we now want to ask, and it looks like "belief" is, or is about to be, back on the table. It is exciting to think that this book could be in the vanguard of a paradigm shift in the study of Roman religion; at the very least, I hope it will stimulate discussion and debate about a model that may have outlived its usefulness.

Human beings, given the nature of the human condition, have never—in any time or in any place—been free of a certain degree of uncertainty and existential angst, and a role of religion has been to mitigate and meliorate the insecurities of life in psychological terms. To rule questions of belief and subjective experience entirely out of court regarding Roman religion has always seemed to me, at face value, to be a preposterous intellectual stance. I find the ancient Romans to be a fascinating subject for study, and for me they become all the more fascinating if we allow them to be flesh-and-blood human beings, with emotions, fears, hopes, dreams, and, yes, beliefs.

¹ For earlier assaults on what I have here called the current orthodoxy on the religions of ancient Greece and Rome, see (for Greece), T. Harrison, *Divinity and History: The Religion of Herodotus* (Oxford: Clarendon Press, 2000); and (for Rome), A. Bendlin, "Looking Beyond the Civic Compromise: Religious Pluralism in Late Republican Rome," in *Religion in Archaic and Republican Rome and Italy*, edited by E. Bispham and Chr. Smith (Edinburgh: Edinburgh University Press, 2000) 115–35; A. Bendlin, "Rituals or Beliefs? 'Religion' and the Religious Life of Rome," *Scripta Classica Israelica* 20 (2001) 191–208.

² A. and I. Petrovic, *Inner Purity and Pollution in Greek Religion* (Oxford: Oxford University Press, 2016).

³ J. Larson, *Understanding Greek Religion: A Cognitive Approach* (London and New York: Routledge, 2016).

INTRODUCTION

Studying Elite Religion in the Middle Roman Republic

The world holds two classes of men—intelligent men without religion, and religious men without intelligence.

Abu'l Ala Al Ma'arri (Syrian poet, 973–1057 C.E.)

Pax Deorum: “the peace of the gods.” One would be hard pressed to come up with a conception more central to the ancient Roman commonwealth. All activities of the state religion were directed to this end. This peace with the gods had something of the contractual and the reciprocal about it: Romans provided the desired worship, veneration, and cultic observances; the gods in turn, it was hoped, safeguarded Rome’s public well-being.¹ But there was never any guarantee that deities would indeed reciprocate, and it was the job of the magistrates and public priests to maximize the chances that they would do so. The *pax deorum* was a fragile affair. It could be broken by any number of errors in the performance of ritual or by contraventions of religious law, and all public religious actions to restore it were carried out according to the most exacting specifications.² Constant vigilance was required, as divine signs frequently indicated that the gods’ peace must be created in order to avoid impending disaster.³ This book is about the elites, the magistrates and public priests, who shouldered the burden of maintaining the *pax deorum*, and what their religious behavior may have meant to them.

¹ *Salus publica*; cf. Cic. *Rab. Perd.* 2.5.

² See Wissowa, *RK*² 380–409, esp. 390–94.

³ See Santangelo 2011, esp. 162–70; cf. Satterfield 2015; Rüpke 2007: 12, “Traditional orally-transmitted knowledge is a form of knowledge that can rapidly assimilate and process new items, is flexible and adaptable, because it can only be kept vital by means of rehearsal, re-performance, in constantly-changing immediate situations.”

Did the Romans believe in their gods? The question seems simple and straightforward enough, but it is not. In order to begin thinking about the many difficulties it raises, we can start with an event in a time and place at a far remove from ancient Rome. In 1799 C.E., Hongli, the Qianlong emperor of China (the fourth emperor of the Qing Dynasty), was buried in the Yuling mausoleum in the Eastern Qing Tombs, about eighty miles northeast of Beijing. The construction of his final resting place had commenced more than fifty years earlier, and it was completed a decade after that, resulting in a structure of magnificence and monumentality. From the first marble gate onwards, Buddhist images decorated gates, walls, and ceilings: Four Heavenly Kings, Eight Bodhisattvas, Twenty-Four Buddhas, the Eight Treasures, and, along with ritual implements, more than 30,000 words of scriptural texts, in Sanskrit and in Tibetan. Astonishingly, the walls in the antechamber of the tomb were completely inscribed with Sanskrit characters. The wheel of the *cakravartin* (“enlightened ruler”) was engraved in the ceiling above the emperor and empress’s funeral platform—in a direct line of sight from the emperor’s coffin. Riches and sacred writings were sealed off for eternity. Indeed, the tomb robbers who ransacked the mausoleum in 1928 needed explosives to gain access to its concealed treasures.⁴ The Qianlong emperor’s preparations for his final resting place are striking in their painstaking elaboration and excruciatingly precise details, but they are by no means without historical parallel. We need only think of the sealed funeral chambers of the Great Pyramids at Giza in the Egyptian Old Kingdom, or the later hidden, richly appointed Egyptian royal burials in the Valley of the Kings, or—closer to the concerns of this study and of more modest dimensions—the tomb of the Scipios on the old Appian Way, remote and of difficult access for the present-day traveler.

Why did the Qianlong emperor go to such extraordinary lengths in outfitting his tomb, and for whom were the 30,000 Sanskrit and Tibetan words intended? Perhaps we should pause before tackling such a question, and begin with a more fundamental one. Why are we likely to see Hongli’s behavior as in any way problematic and in need of explanation, in the first place? I think the answer to that question may lie in unspoken and perhaps largely unconscious assumptions we are likely to harbor. After all, we are living more than one hundred and twenty-five years after Nietzsche’s famous declaration that “God is dead.” Many readers of this book will live in western societies with a strong commitment to the separation of church and state. As far as organized religious institutions go, some of those readers may live in predominantly Christian countries where the Protestant religions gained a strong foothold, and a subterranean current in their religious lives (if they have religious lives)

⁴See Crossley 1999: 242. I wish to thank my colleague Norman Kutcher for discussing the Yuling mausoleum with me. Unless otherwise noted, all dates are henceforth B.C.E.

carries the struggles of the Reformation and Counter-Reformation at their historical substratum. At the time of the religious wars in Europe in the early modern period, opponents of Roman Catholicism charged that the papal hierarchy insisted on blocking pure, direct, and immediate personal contact with God, and that part of the popes' agenda as self-appointed divine intermediaries was to maintain their congregations' religious ignorance, even to the point of keeping them illiterate and making Scripture inaccessible. The charge, in its simplest terms, was that Roman Catholic institutions aimed to control the masses through their religious authority. Elaborate rituals, pompous ceremonies, and stunning regalia were all set up for that purpose.⁵ The point is that, living in the wake of those historical religious currents, we may be likely to take a jaded, cynical view of any official, public expression of religiosity and piety, assuming that there is almost always some hidden agenda and self-interested motivation lying just below the surface.

Another way to put it is to think of an elite minority controlling nonelite masses through religious spectacles, much like what the Greek historian Polybius famously said about Roman religious institutions.⁶ Such an interpretation of religion's function in society is what I shall call "elite-instrumentalism" throughout this book. It is a commonplace, contemptuous way to look at religion, and it has been reinforced in powerful ways in our history, as for example by hyper-critical, skeptical Enlightenment thinkers, such as Voltaire, or later in some interpretations of Marx's famous maxim that religion is "the opiate of the masses." After Marx, thinkers from Sigmund Freud to Christopher Hitchens have seen religion as a kind of collective psychopathology, responsible for much of what is wrong with the world. On such a view, it is often only an educated elite that can hope to escape its insidious clutches, and perhaps use it to its own advantage. But the notion is an old one, as the one-thousand-year-old sentiment of Abu'l Ala Al Ma'arri, which serves as the Introduction's epigraph, attests. I shall have more to say about this analytical orientation to religion in chapter 1, but for now I'll restrict myself to suggesting that we may find the Qianlong emperor's funeral preparations to be puzzling because of such underlying assumptions about the way religion works. I shall argue that while we should give elite-instrumentalism its due measure in studying Roman religion, we must guard against its dictates as a presumption in our historical narratives of the Roman Republic. Some of our leading scholars in the study of Roman religion have begun to show the way in the last decade-and-a-half or so, but since ancient historians and classicists continue to adhere to elite-instrumentalist presuppositions, as I shall try to show in chapter 1, the model still demands our attention (though I shall primarily engage with it as a powerful interpretative tool, rather than as

⁵ Cf. Trautmann 1997: 104–105 on "the priestcraft theme, a distinctly Protestant motif"

⁶ Polyb. 6.56.6–13.

a position in need of refutation). Elite-instrumentalism can at best provide a partial understanding of Roman elites' religious behaviors, and new approaches to those behaviors are required to yield more nuanced, and satisfying, historical reconstructions.

The elite-instrumentalist perspective would hold that Hongli, as a highly educated, elite ruler, could not have actually believed that his Herculean efforts at tomb-building were for any other purpose than to uphold and legitimate his rule and that of his successors; that is to say, his enterprise was for living human consumption and was driven by ulterior motives. I have chosen the Qianlong emperor's inner funerary chamber as our starting point because I think it splendidly reveals the sterility of an elite-instrumentalist understanding of such religious phenomena. If we were to insist on this approach, it seems as if Hongli's labors would have long since reached the point of diminishing returns—especially the inscription of 30,000 Sanskrit and Tibetan words that no one was ever intended to read—even to the point of absurdity. It is one of the aims of this book to show that elite-instrumentalist aspects were of secondary importance to more vital religious motivations on the part of elites.

I answer the question with which I began—*Did Roman elites believe in their gods?*—affirmatively. But what is “belief”? As anthropologists have warned, “belief” is not an unproblematic, transferable, immutable, and transhistorical activity of all peoples. If we are to use the term at all, we must concede that “belief” is rather culturally specific and within individual cultures rooted in particular personal and social contexts. As the social anthropologist Rodney Needham observed of “belief,” there is simply no basis for “the received idea that this verbal concept corresponds to a distinct and natural capacity that is shared by all human beings.”⁷ Moreover, the word “belief” is frequently used with unspoken presuppositions specific to European and Anglo-American Christian cultures. In the study of Roman religion, these presuppositions can lead to nothing but misunderstanding. For example, in contradistinction to Christianity, and aside from the fact that Roman religion was polytheistic and not monotheistic, it was not characterized by a charismatic founder, it was not eschatological, it did not know missionaries or proselytizers, it possessed no single and authoritative sacred scripture, and it did not claim a monopoly on religious truth.⁸

We need to be clear, therefore, when we talk about “belief.” In this work, I delimit the term and understand it to be “*a genuine, collective conviction on the part of governing elites that Roman success, and indeed the city's very existence, depended on maintaining correct relations with the gods through orthopraxy, or exactingly accurate performances of religious ceremony, ritual,*

⁷Needham 1972: 191.

⁸See the excellent section on “belief” in Roman culture in Feeney 1998: 12–46.

and sacrifice." According to that definition of belief, I maintain that we can generally say that elites of the Middle Roman Republic believed in their gods. An astonishing parallel for this sort of belief at Rome is to be found in a Christian context more than half a millennium later than the period studied here. In 496 C.E., Pope Gelasius I issued a letter to Christians who supported the continuing celebration of the ancient pagan ritual of the Lupercalia. It seems that their conviction was that observance of this festival was crucially important for the well-being of the Roman community. And Pope Gelasius amazingly seems to have hedged his bets by allowing the continued practice of this pagan festival among his Christian congregation. My argument will be that such a conviction among the elite was correspondingly stronger in our period, when accumulative civic polytheism was a living religion supported by the state authorities, who were also its priests.⁹

Religious concerns at Rome were all-pervasive, saturating nearly every aspect of public life, in both the civilian and military spheres. Romans believed that their major priesthoods and rituals were coeval with, or in some cases even prior to, the founding of their city. Valerius Maximus stated that in the Roman state all else was secondary to religion, and Aulus Gellius, summarizing the handbook Varro wrote for the politically inexperienced Cn. Pompeius Magnus, tells us that every meeting of the Senate addressed divine matters before turning to human affairs. Cicero proclaimed that the Romans excelled all other peoples in piety and devotion to the gods. Already in the mid-second century the Greek historian Polybius remarked with some astonishment on the extraordinary attention the Romans gave to religion.¹⁰ As Livy has the early republican hero, M. Furius Camillus, say, "We have a city founded upon auspices and augury; there is no place in it which is not filled with cultic practices and the gods; the days devoted to solemn sacrifices are as fixed as the specific places where they may be performed."¹¹ From the earliest Republic, no official business was ever conducted at home or abroad without due religious observances. At Rome itself, public officials were responsible for the celebration of festivals and performance of rituals, carried out at state expense, and meetings of the Senate, which we think of as a political body, were preceded by sacrifice and the taking of auspices. Senators mediated religion by recognizing divine signs, accepting new state-cults, and proscribing what they perceived to be dangerous foreign religious practices and writings.¹²

⁹For elaboration of my idea of "accumulative civic polytheism," see chapter 4, *passim*.

¹⁰Val. Max. 1.1.8–9; Gell. NA 14.7.9; Cic. *Har. Resp.* 9.19; Polyb. 6.56.6–13; cf. Posidonius *ap.* Ath. 6.274a; Dion. Hal. *Rom. Ant.* 2.19.2–3, 21.1–2, 63.1–3; Sall. *BC* 12.3; Sall. *Jug.* 14.19; Cic. *NatD.* 2.3.8; Cic. *Div.* 1.28 (constant consultation of auspices in ancient times), with references to modern scholarship assembled at Champion 2004a: 95n.80.

¹¹Liv. 5.52.2–3.

¹²Cf. Scheid 1985: 51–56, for the idea of the gods themselves as citizens whose divine role was mediated through magisterial authority.

These brief remarks may already be enough to convince the reader that what should most impress us about Roman religion is not only its centrality, but also its utter strangeness; how dramatically different Roman republican religious conceptions and practices were from anything we (modern inhabitants of the secular west) might easily recognize. As Keith Hopkins once noted, “Romans were dangerously different.”¹³ The total interpenetration of religious and political authority is perhaps the most difficult aspect of Roman society for us to grasp. As the early third-century C.E. jurist Domitius Ulpianus wrote, *ius publicum* (public law) “covers religious affairs, the priesthood, and offices of state.”¹⁴ Livy provides striking illustrations of this intermingling. Recounting the horrors of drought and disease sometime after 430 B.C.E. and superstitions that arose at the time, he notes that the aediles—whom we regard primarily as state officials in charge of routine maintenance and the grain supply for the city of Rome itself—were commissioned to see to it that only Roman gods were worshipped in the ancestral manner. Conversely, he reports that in 449 the Pontifex Maximus, Q. Furius, held elections for plebeian tribunes in the parlous times of the deposition of the decemvirs.¹⁵ Passages such as these urge caution and circumspection. Accordingly, although I frequently discuss the political and religious spheres in this study, I do so bearing in mind that these are our analytical categories, not those of ancient Romans.

Though from a period later than our chronological focus (it dates to the second-century C.E.), an example from Ostia, Rome’s first harbor town (founded according to legend by Rome’s fourth king, Ancus Marcius), well illustrates the confluence of religious and political authority in Roman culture. For this later period, we can chart with great specificity the overlapping of religious and political responsibilities in the public careers of local Ostian grandees. In Rome’s port city, aspiring politicians coveted official priesthoods, with the cult of Vulcan holding pride of place in the public religious organization. The chief priest of Vulcan’s cult, the *pontifex Volcani*, possessed status and honor, albeit on a humbler stage, analogous to what the Pontifex Maximus enjoyed at Rome.¹⁶ Both the Ostian pontificate of Vulcan and the

¹³Hopkins 1991: 482.

¹⁴Ulpian, *Dig.* 1.1.1.2 (trans. Watson), *Publicum ius, in sacris, in sacerdotibus, in magistratibus consistit (consistit PVU)*, cf. *Dig.* 1.1.1.1: jurists as *sacerdotes*, with Ando 2008: 72–83. For difficulties in translating *publicum ius* as either “constitution” or “public law,” see Cloud 1994: 491–99. Cicero, however, made a distinction between the “law of religion” (*ius religionis*) and the “law of the state” (*ius rei publicae*); see, e.g., *Dom.* 32–33.

¹⁵Liv. 4.30.7–11 (430); 3.54.5 (449); cf. Liv. 4.31.4–5: in 426 augurs removed religious impediments to naming a dictator in times of crisis (in this year there were military tribunes, not consuls; and heretofore only consuls could name a dictator).

¹⁶I employ the term “priest” advisedly, since religious officials had little in common with present-day priests of the organized religions, and among themselves they differed widely in their religious roles. The Latin words *sacerdos* (usually translated as “priest”) and *sacerdotium* (“priesthood”) are not employed by republican writers in a way that suggests a single recognizable category. Rüpke 2007:

chief priesthood at Rome, unlike the regular elective magistracies, were held for life, and at Ostia praetors and aediles attended upon the cult of the Italian god of fire. Two Ostian careers in the Julio-Claudian period are particularly noteworthy as examples of the conflation of religious authority and political power in Roman society: P. Lucilius Gamala was aedile in Vulcan's cult, decurion by decree of his fellow decurions, *pontifex Volcani*, and duovir with consular authority; C. Fabius Agrippa was praetor of Vulcan's cult, decurion co-opted by the decurions, aedile, and duovir.¹⁷

Although we can rarely trace through epigraphy the public careers of elites in the third and second centuries with the kind of detail that is possible for these second-century C.E. Ostian officials, it is clear that in earlier periods as well religious authority and political power were closely intertwined: priests and politicians were the same men.¹⁸ The replacement of the deceased pontiff C. Sempronius Tuditanus by the consul M. Claudius Marcellus in 196 B.C.E. provides an illustration of this fact, as does the career of M. Aemilius Lepidus, the Pontifex Maximus, who was elected censor in 180 and named *princeps senatus* in the following year, and again in 174.¹⁹ R. E. Mitchell even suggested that in the earliest Republic religious officials preceded and evolved into senators: "the first Senate contained priests . . . priests were the *patres*, those with automatic seats in the Senate by virtue of their priesthoods . . . initially their heirs automatically succeeded to their priesthoods and thereby to their Senate seats; and, since priests/*patres* held their positions for life and were caretakers of ancestral practices . . . they were the ones that gave their approval (*patrum auctoritas*) to those public measures found to be in keeping with traditional behavior (*mos maiorum*)."²⁰ This claim is attractive, but ultimately it cannot rise above the level of conjecture, given the unreliable nature of our evidence for this early period.²¹ But the role of religion in the everyday public activities of senators is beyond dispute.

216 prefers "religious specialist," but alternates between this designation and the conventional label "priest." As I shall discuss in detail in chapter 2, religious authority was embedded in and diffused throughout political structures. On these issues, see Beard 1990: 34–48, esp. 41–47.

¹⁷ *CIL* xiv.375 (P. Lucilius Gamala); *CIL* xiv.349 (C. Fabius Agrippa), with Meiggs 1960: 177–79.

¹⁸ Explicit at Cic. *Dom.* 1.1, with Linke 2000; cf. Scheid 2011: 128–29, pithily stating, "le magistrat est toujours un peu prêtre, et le prêtre un peu magistrat" ("the magistrate is always a bit of a priest, and the priest a bit of a magistrate"). Julius Caesar as Pontifex Maximus is the most famous example from the Late Republic; cf. Augustus' seven priesthoods at *RG* 7.3; the lists in Szeimler 1972; Hahn 1963. For the earlier period, conspicuous examples are L. Caecilius Metellus, consul in 251 and 247, dictator in 224, and Pontifex Maximus until his death (*MRR* 1.213, 216, 231), and P. Licinius Crassus Dives, Pontifex Maximus, censor in 210 (Liv. 27.6.17), praetor-elect in 209 (Liv. 27.21.5), and consul-elect in 206 (Liv. 28.38.6–7). In 183 the *flamen Dialis*, C. Valerius, was elected praetor (Liv. 39.45.2). Not all coopted religious authorities, however, were senators; see, e.g., Cic. *Att.* 4.2.4.

¹⁹ Liv. 33.42.5 (replacement in 196); 40.45.6, 51.1; 41.27.1–3 (M. Aemilius Lepidus).

²⁰ Mitchell 1990: 63.

²¹ See Forsythe 2005; Cornell 1995: 215–398 is more optimistic about our ability to reconstruct the Early Republic's history. Cf. North 1989: 573–82, on the error of employing a priori hypotheses in attempting to understand our woefully inadequate evidence for early Roman religion.

The pervasiveness of religion throughout all aspects of public life and the political elite's monopoly of all major priesthoods and religious authority are well-established facts. No serious scholar would think to contest them. But there is a corollary idea about Roman religion according to which elites *consciously* manipulated traditional civic polytheism as a tool for political and social control of nonelites (who seem to have no agency of their own), while the elites themselves remained skeptical nonbelievers. This was an important aspect of earlier elite-instrumentalist interpretations of Roman religion, although these days the idea of conscious manipulation is often only assumed, implied, or of little interest. However, what Denis Feeney noted about elite-instrumentalism more than fifteen years ago is still true today, "Though this model is rapidly passing out of favor, it has a powerful inertia."²²

Elite-instrumentalist presuppositions continue in subtle guises to inform work in Roman history and civilization, and even recent work of experts in the field of Roman religion, which has led us away from this model, does not approach the question of elite belief in the manner undertaken here. This is a book by a historian of Greek and Roman antiquity looking not only at religious structures, institutions, and conceptions at Rome, but also at discrete individuals and events involving elite religious practices.²³ In attempting to understand these individuals and events, and trying to cut through the residual mists of elite-instrumentalism, it seems that we must battle against an entrenched, and perhaps mostly unconscious, intellectual conditioning, eloquently stated by Peter Brown in his study, *The Cult of the Saints*. "Such models [of a sharp division between elite and popular religion] have entered the cultural bloodstream. . . . Plainly, some solid and seemingly unmovable cultural furniture has piled up somewhere in that capacious lumber room, the back of our mind."²⁴ This book is the result of an effort to shift some of that "unmovable cultural furniture" regarding the study of Roman republican religion. With a focus primarily on the period from the second quarter of the third century to the late-second century, it seeks to understand elites' religious experiences based on their actual religious behaviors, offering a reconstruction that is more consistent with our historical evidence and far more nuanced than what any form of the elite-instrumentalist interpretation can provide.

Scholars have had a difficult time shaking off the spell of elite-instrumentalism. Sometimes their adherence to the model results in contradictory statements. For example, in a recent history of ancient Carthage, we read that religion at Carthage was "a vital tool for elite political control,"

²²Feeney 1998: 3.

²³Scholars today tend to focus on system and structure rather than on individual historical agents, thus side-stepping to some degree the question as to whether elites *consciously* manipulated religion as a means for political and social control.

²⁴Brown 1981: 12–13.

but several pages later we encounter the statement that “children who were offered up for sacrifice were mostly the offspring of the elite.”²⁵ Something has gone awry here. How are we to explain adherence to a model that flies in the face of historical evidence? We have already mentioned a few possible historical influences on this state of affairs. A corollary assumption of elite-instrumentalism posits that elites do not themselves seriously subscribe to the religious rules and prescriptions they promulgate for nonelites’ consumption. On this view, Greek and Roman elites, à la Polybius, must have been cool-headed, incredulous rationalists who consciously created and manipulated religious symbols and rituals to control the impulsive and irrational desires of the multitude for the good of the commonwealth. With such an underlying presumption, the defenders of the “ancients” in the late-seventeenth and early-eighteenth century “Battle of the Books,” or *querelle des Anciens et des Modernes*, and the so-called Founding Fathers of the American republic, steeped in classical learning and using Greek and Latin texts as models for emulation, could see ancient Greek and Roman elites as kindred spirits.²⁶ In turn this presumption would have been founded on the idea that ancients were of the same mentality as themselves. There were certainly some objections to that notion, going back at least as far as Giambattista Vico and Friedrich A. Wolf, but on the long view they did little to shake the idea for European and American intellectuals in the early modern period that ancient Greek and Roman elites were like themselves.²⁷

In the twentieth century, weighty scholarly authority also contributed to elite-instrumentalism and its corollary ideas. Several important thinkers in the first half of that century directed scholarly attention to elites and their ways and means of imposing controls in order to maintain and bolster their position atop political and social hierarchies. The American political scientist Harold Lasswell and the Italian theoretical sociologists Gaetano Mosca and Vilfredo Pareto provided blueprints for elitist interpretations of human history.²⁸ In this tradition, in his study of political parties in modern western democracies, Robert Michels coined the notorious phrase “The Iron Law of Oligarchy.”²⁹ Concerning the study of Roman history, perhaps the most famous book ever written in the field (at least among Anglophone scholars), Ronald Syme’s *The Roman Revolution*, is an outstanding example of nearly exclusive focus on elites and their maintenance of power. In that work, Syme issued the often quoted maxim, “In all ages, whatever the form and name

²⁵Miles 2011: 68, 73.

²⁶On the “Battle of the Books,” see Levine 1991a, esp. 267–413; cf. Levine 1977; Levine 1999. On American political thinkers and the lessons from ancient Greece and Rome, see Bailyn (1967) 1992: 22–26; cf. Richard 1994.

²⁷On Wolf, see Grafton, Most, and Zetzel 1985; on Vico, see Levine 1991b.

²⁸In conceptualizing elites and elite cultures, I have greatly benefited from Bottomore 1993.

²⁹Michels (1915) 1949.

of government, be it monarchy, republic, or democracy, an oligarchy lurks behind the façade; and Roman history, Republican or Imperial, is the history of the governing class.”³⁰ Beyond the Anglophone scholarly universe, the German scholars Friedrich Münzer and Matthias Gelzer also subscribed to a type of history focusing almost exclusively on elites.³¹

Part and parcel of this concentration on elites has been not only a subscription to elite-instrumentalism, but also implicit agreement with the putative presumptions of the elite-instrumentalists themselves: nonelites are incapable of historical agency, they are fit to be controlled by an elite minority (with religion being only one of the devices employed for this purpose), and their history is hardly worth writing. George Rudé’s well-known book, *The Crowd in History* (1964), helped to shift attention away from elites in historical analysis, and in recent generations historians and political theorists—such as E. P. Thompson, E. J. Hobsbawm, and Natalie Zemon Davis in the study of European history, and Ranajit Guha, Dipesh Chakrabarty, and Partha Chatterjee in South Asian subaltern and postcolonial studies—have made mighty contributions to recovering the history of nonelites. In Roman studies, scholars have directed our gaze away from urban power elites, and shown just how much can be done to write the history of nonelites: women, children, slaves, freedmen, the family, disabled people, merchants, shopkeepers, brothel owners, and so on—and “plebeian culture” generally.³²

My focus on elites may therefore seem to some readers like a retrograde step, and perhaps it is in need of defense and justification. First of all, I think that we can take the Greek historian Polybius at his word when he says that, in the aftermath of the decisive military victory over Macedonia in 168 in the battle at Pydna, Roman power was absolute throughout the entire inhabited world (that is, the “entire inhabited world” known to him), or *oikoumene*, a fact that was underscored by the imperious behavior of the legate C. Popillius Laenas before the Seleucid monarch Antiochus IV Epiphanes on the outskirts of Alexandria shortly after Pydna.³³ Members of the senatorial aristocracy, as legates and commanders, were hailed as common benefactors of humankind in the Greek east during our period, and Livy provides an apt image of the senators in the scene in which he recreates the early fourth-century Gallic capture of Rome.³⁴ According to him, when the Gauls entered the largely abandoned city, they found plebeian houses shut up, but the halls of the nobility wide open. The Gauls found elites confidently and serenely

³⁰Syme 1939: 7; cf. 15.

³¹I discuss the work of Syme, Münzer, and Gelzer in another context at the beginning of chapter 2.

³²A representative, and eclectically chosen, sample: Bradley 1991; Dixon 1992; Garland 1995; Garnsey 1988; Horsfall 2003; Knapp 2011; Treggiari 2000; Wiseman 2009.

³³Polyb. 3.4.1–8; Polyb. 29.27.1–13, with Gruen 1984: 659n.226; Champion 2004a: 53.

³⁴Polyb. 2.12.6, with Erskine 1994; Liv. 5.41.7–9.

seated in vestibules. They were dumbstruck, almost as if captivated by religious awe (*simillimos dis*).

Livy's image is of course one of literary embellishment bordering on caricature, but it sets the right tone: in the second century many people in large parts of Europe, the Mediterranean basin, and the Near East would have viewed the senators as rulers and arbiters of the world, and as Livy imagines of the Gauls' initial reactions to Roman *nobiles*, perhaps near to gods.³⁵ Senators and generals were in a profound sense catalysts for the development of Roman imperialism, and on the long view they shaped not only the history of Europe, but that of the world. The study of elites in the Middle Republic, the period of ancient Rome's rise to Mediterranean-wide hegemony, especially in an area where there may linger a centuries-old historical distortion, is therefore in need of no further defense and justification. While we know much about these elites, there are gaping omissions and misinterpretations that require further examination, as they affect the historical record many purport to know.

In attempting to understand religious behaviors of Roman elites, we might draw on the evidence of epigraphy, as in the case of the priesthood of the Arval Brethren, archaeological evidence for Roman burials and funerary artifacts, public art and architecture, and magical spells and curse tablets.³⁶ The epigraphical evidence for the Arval Brethren, we may note in passing, is likely to strike the present-day reader in much the same way as the elaborate tomb preparations of the Chinese Qianlong emperor, Hongli. The inscriptions show a remarkable obsession with ritual detail for these elite priests' religious practices, some of which were conducted away from public view and scrutiny.³⁷ I shall draw on these kinds of nonliterary evidence in the pages that follow, but my arguments are based for the most part on literary texts. This is because my expertise lies in textual analysis rather than material evidence, but also because the latter is not a more reliable source for revealing subjective mental and emotional states. As Rodney Needham observed:

It is a notorious matter of common experience . . . that the conventional externals of religious belief do not entail a real adherence to the doctrines that they are supposed to acknowledge. Genuflections at the altar, prostration on a prayer mat, and bloody sacrifice tell us little

³⁵For the senators as a council of kings, see Plut. *Pyrrh.* 19.5 (the ambassador Cineas speaking to King Pyrrhus).

³⁶See, e.g., Scheid 1990 on the Arval Brethren; Toynbee 1971 on burials; Moede 2007 on relief sculptures; Gager 1992, on curse tablets and spells; cf. Rüpke 2007: 154–73, and Kajava 2014 on epigraphical evidence generally.

³⁷Cf. Scheid 1990: 752, “Devant les autels, les prêtres exécutaient des enchaînements rituels avec une rigueur qui a fait sourire les observateurs modernes”; and Harris 1989: 171, “The well-known Roman uses of the written word for religious purposes, for public dedications to deities and for the transmission of arcane pontifical, augural, and other texts . . . have nothing democratic about them.”

about the internal states of those who perform these public actions. No rite shows by its performance that the participants do or do not hold a certain attitude towards—"believe"—the ideological premises of what they do. . . . Even when we are convinced that a person genuinely believes what he says he believes, our conviction is not based on objective evidence of a distinct inner state.³⁸

At the outset I would like to make some observations about the literary texts upon which my arguments are built. What are we to make of statements about religious practices and ritual performances embedded in such literary texts, in contexts in which there is absolutely nothing to suggest tongue-in-cheek foolery, disingenuousness, sarcasm, or incredulity as part of the authorial intention? For an example, in his work *On Agriculture*, written around the year 160, the elder Cato prescribes a magical remedy for sprains and fractures. It entails taking a green reed four or five feet in length, splitting it in half down the middle, and having two men hold it against the hips. Then the sufferer must chant, *motas vaeta daries dardares astataries dissunapiter*. These words cannot be translated because they have no syntactical relationship or propositional content. After chanting, a knife must be brandished above the reeds, and when they touch one another, they must be grasped and cut with the knife on the right and left. The pieces of reed are then to be applied to the injured site, and healing will take place. In any event, chanting must be kept up every day, and in case of dislocation, another nonsensical collocation of words may be uttered, *huat haut istasis tarsis ardannabou dannaustra*.³⁹ To take another example, the agricultural writer Columella prescribes a Dardanian magical practice against certain plant parasites: leading a bare-footed, bare-breasted menstruating virgin three times around the garden plot.⁴⁰ What was the intended audience for such agricultural magical prescriptions? The conclusion is inescapable: Cato, Columella, and other agricultural writers were writing for elite, literate minorities, who must have taken their ritual prescriptions and sacrificial injunctions seriously.⁴¹

³⁸Needham 1972: 100–101; cf. Bell 1992: 182–96; Bendlin 2001; Rüpke 2007: 68. Of course, of the types of nonliterary evidence mentioned in the text, the inscriptions of the Arval Brethren, which describe elites' religious practices not performed in public settings, and many curse tablets and binding spells, by their very find spots, demonstrate religious behaviors that would be difficult to explain in elite-instrumentalist terms. For an overview of ritual in the ancient Mediterranean context, see Bremmer 2007.

³⁹Cato *Agr.* 160, with BNP 1.154–55. For Cato's sacrificial prescriptions, see Scheid 2005: 129–60, 315–18.

⁴⁰Columella, *Agr.* 10.357–63; cf. 11.3.64, for Democritus' prescription of having a menstruating woman with hair disheveled and feet bare walk three times around herb beds in order to kill vermin.

⁴¹I have learned a great deal about the sociology of reading in Greek and Roman antiquity from Johnson 2000 and Johnson and Parker 2009.

I have one final point to make about the literary texts I employ, which is perhaps obligatory in the wake of the challenges to *doing history* posed by Jacques Derrida and the poststructuralists, by the “linguistic turn” in historical studies, and more specifically by theorists of history and historiography, such as Hayden White and Dominick LaCapra. I hope it will not be too reductionist and distorting to characterize this work briefly by saying that in general it enjoins us to pay attention almost exclusively to historical writings in terms of their own narrative structures, logics, and rhetorical agenda, and that to use them as material for reconstructing past events, not to mention historical agents’ motivations and behaviors, is naïve and misguided. I have learned a great deal from literary critics’ historiographical analyses and narratological investigations, which have enriched my understanding and informed the way I go about my work. Indeed, I have tried for a number of years to foster appreciation for the neglected literary qualities and narrative techniques of the Greek historian Polybius, who has often been used as little more than a source for historical reconstruction, and who has been neglected as a writer in his own right.⁴² I nevertheless proceed with the assumption that I can use literary texts, primarily the historical writings of Polybius and Livy, in order to address problems posed in this book. This may invite criticism that I am practicing an outmoded, “positivistic” brand of history, but when Polybius writes about the disaster at Cannae and the effects this had at Rome and in the Senate, or when Livy relays the extraordinary religious measures undertaken by the authorities in response to the military disaster at Trasimene, I can see no reason not to take them at their word.⁴³ While I do not discount the need for the historian of ancient Rome to appreciate possible historical distortions caused by literary embellishments on the part of ancient Greek and Roman historians, the importance of generic conventions in the ways they went about their task, and the chasm that separates ancient and present-day historiographical conceptions, I subscribe in this book to the approach Albert Einstein once suggested for understanding his own colleagues: “If you want to find out anything from the theoretical physicists about the methods they use, I advise you to stick closely to one principle: Don’t listen to their words, fix your attention on their deeds.”⁴⁴ With all due circumspection, I have tried to use ancient literary texts in such a manner.

Chapter 1 begins by examining the origins of elite-instrumentalist interpretations of Roman religion in Greek and Roman writers, and considers how it persists in recent scholarship, despite efforts of experts in Roman religion to lead us in new directions. It also lays out definitions, parameters,

⁴²For an exemplary study of how this can be done for Polybius, see Davidson 1991. See Champion 2004a, with references to earlier studies, to which add Champion 2007b and Champion 2013.

⁴³For discussion and sources, see chapter 4, section 2. On the dangers of “historical realism,” see Otto, Rau, and Rüpke 2015: 1–18, esp. 4.

⁴⁴Einstein (1949) 1956: 30.

and theoretical/methodological underpinnings for chapters that follow. Chapter 2 studies domestic politics and religion in Rome itself, examining structures and interrelationships of the priesthoods among themselves and in relation to the Senate, political/religious disputes conducted in public political arenas, the role of the *populus Romanus* in these controversies, the proportion of the total citizen population that could have participated in enactments of the state religion, and the extent to which religious institutions served the personal physical and spiritual needs of the populace. Chapter 3 examines the harsh international environment in which the Republic existed, the terrifying exigencies of ancient warfare, the extraordinarily stressful independent decision-making responsibilities of generals on military campaign, and the punctiliously observed prescriptions of religious ritual in battlefield contexts. This chapter also further considers the city of Rome itself in times of military crisis and peril. Chapter 4 bridges the domestic and foreign spheres, taking up questions of traditional, ancestral gods and religious practices and the acceptance or rejection of new foreign deities and rituals. It finds an inconsistency in the reception of new state cults, sporadic attempts to expel “foreign elements,” an inability to police religious practices in any effective and sustained manner, and evidence for an independent nonelite religious culture (a theme introduced in chapter 2, and reprised in chapter 5). The discussions in Chapters 1–4 are all presented with an eye to demonstrating the need for complementary approaches to elite-instrumentalism. Chapter 5 sketches outlines of some theoretical positions and methodologies, which promise more satisfying historical reconstructions of the religious life of republican elites.

I emphasize two points at the outset. First is a word about exposition. In this Introduction and in chapter 1, I lay out what I consider to be essentials of the argument, but in the interests of clarity and organizational efficiency I have not given advance notice and preliminary signposts for every twist and turn, every nuance, every elaboration and development of those arguments. It is an artistic decision, I suppose, and one that will perhaps not be to every reader’s liking, but I do so because in my view the force of many of the arguments is best served by allowing them to appear for the first time at the points where the large narrative trajectory calls for them. Second, I wish to stress that I am not suggesting that elite-instrumentalism is without some validity in studying Roman elites’ religious behaviors. Elite-instrumentalism and the alternative approaches I suggest are not mutually exclusive. It is rather a matter of degree and emphasis. The goal here is to give elite-instrumentalism its proper proportion, not to obliterate it entirely. With these preliminary remarks out of the way, the first tasks are now to show that elite-instrumentalist readings of elites’ religious practices arose in Greek and Roman antiquity, and more important, to demonstrate that even some of the most recent scholarship exhibits elite-instrumentalist presuppositions. But that fact alone

does not exhaust the reasons for writing a book like this. Elite instrumentalism can serve as a useful and illuminating counterpoint for developing new approaches to understanding Roman elites' religious practices. Surprisingly, the hold of this outdated model on present-day scholars has been tenacious, and even more unexpectedly, the model gains a new lease on life as a powerful hermeneutical tool. It is "good to think with."

The Peace of the Gods

ONE



Elite-Instrumentalism: Persistence and Paradox

Privately, I believe in none of them; publicly, I believe in them all. So do you.

—Charles Laughton (as “Gracchus”) to John Gavin (as Julius Caesar).

Spartacus, Universal Pictures (1960)

A great deal of excellent work on Roman religion has appeared in recent years, but scholars’ understandable desire for comprehensive treatment within a single volume has often led to emphases on monolithic continuity, when attention to change and rupture may be more in order.¹ After all, the history of the Republic as it has been traditionally studied encompasses about half a millennium, and few generalizations about its religions will be able to stand up to scrutiny for that *longue durée*. This challenge can be brought within manageable limits by imposing narrower temporal parameters, but as Harriet Flower has recently reminded us, periodization in history is not a simple matter. It is not self-evident, it is necessarily somewhat arbitrary, and yet it is essential to the historian’s craft. The chronological frameworks—or, to use her expression, “time maps”—we adopt constantly shape and inform our historical reconstructions. This is a welcome and salutary reminder that historical periods are no more than useful paradigms or models, not to be taken for granted but rather to be tested and probed. Moreover, our “time maps” need not be mutually exclusive. Different chronological orderings can be complementary and help us to illuminate different aspects of the historical societies we seek to understand.²

In agreement with Flower’s precepts, I resist the impulse to press my focus into a tight chronological box, as an immovable unit of time with impermeable temporal boundaries. Instead, I adopt a more flexible perspective, regarding periodization as something that helps us to think about historical problems—nothing more, and nothing less. My particular “time map,” thus loosely defined, is from roughly the second quarter of the third century—leading to Rome’s first titanic struggle with Carthage—to the aftermath of the

¹ See, e.g., Turcan 2001; Scheid 2003; Warrior 2006; Bispham 2008: 203–33.

² Flower 2010; cf. Carr 1961: 76, “The division of history into periods is not a fact, but a necessary hypothesis or tool of thought, valid in so far as it is illuminating, and dependent for its validity on interpretation.”

Gracchan revolution. For the First Punic War we have the text of Polybius, but before that the quality of our source material leaves a great deal to be desired.³ At the other end of the chronological spectrum, I have given less attention to the Social War, the rise of the warlords, and beyond, not because our sources are deficient (indeed, the last generation of the Republic, with the testimony of Cicero's letters, is the best-documented period in all of Roman history), but rather because I believe that during this period there was a palpable change in elites' intellectual and practical approaches to religion (though, as we shall presently see, even this change can be overstated). But the main point is that I do not feel shackled by rigid temporal parameters and shall range beyond my chronological focus from time to time for purposes of illustration and contrast.

The bulk of this study concerns the period commonly known as the Middle Republic. I formally conclude with the year 114/13, a dramatic date for our story, as in that year we have the last attested instance of public human sacrifice at Rome. During my chosen period or "time map," the Roman state experienced unprecedented and sustained political, military, socioeconomic, cultural, and religious pressures, and elites were drawn into deeper and permanent diplomatic and cultural contacts with the Greek world. Exposure to diverse cultural and religious traditions and rapid imperial expansion brought new challenges and stresses to both the Romans' political system and to their religious institutions.⁴ Elites shouldered the burdens and demands brought on by these changes, and this study examines their religious beliefs in light of their religious behaviors.

This book is primarily concerned with elites in Rome and in service abroad, but they cry out for definition and historical analysis in their own right. Questions concerning the republican ruling class have troubled scholars for over a century, not least because of the fact that we have no ancient definition of the Latin word *nobilitas*. Matthias Gelzer set the terms of the debate when his prosopographical labors led him to the conclusion that a noble was a man whose ancestors had held the magistracy of the consulate, a dictatorship, or the office of consular tribune. For Gelzer, the Roman nobility was a select group of those who were eligible for these high offices, and in practice, through patronage and social connections, this was a narrow group that formed something close to hereditary monopolies of power, though the political system admitted from time to time "new men," or *novi homines*.⁵ Peter Brunt challenged Gelzer's theory, instead arguing for a looser definition of the nobility, which in his view comprised anyone with the right of the

³Cornell 1995 and Forsythe 2005 are exemplary on the Early Republic.

⁴See North 1993; cf. Pailler 1988: 199 (*un univers romain en mutation accélérée*). This study aligns with the tradition Rasmussen 2003: 10–34, calls the "stress hypothesis," and challenges her "manipulation hypothesis." For the themes of change and continuity in Roman religion, albeit with a later chronological focus, see Liebeschuetz 1979.

⁵Gelzer (1912) 1975.

ius imaginum (that is, every descendant of a curule magistrate). He further argued that patrician status alone qualified one as a *nobilis*, and that the office of the praetorship may in itself have conferred the status of *nobilitas*. Men who met any of these criteria counted for him as part of the nobility.⁶

Keith Hopkins and Graham Burton spearheaded another debate on the Roman ruling elite. Rather than occupying themselves with issues concerning the definition of the word *nobilitas* and those who qualified for it, they pursued the questions of the social composition of the governing class, whether it formed something like a closed, quasi-hereditary caste, and the frequency of replacement by non-*nobiles*.⁷ These are all crucially important issues in studying the Republic and its imperial administration, but, as in the case of chronological parameters, for the purposes of this study I do not wish to put too fine a point on things. I shall refer repeatedly to the “elite,” the “ruling class,” “military field commanders,” and, of course, the major “priests.” By these phrases and others like them I mean to say, in general terms, the ruling senatorial aristocracy, the politicians and generals who served the empire at home and abroad, and the same men who held the major priesthoods.

As stressed in the Introduction, the pervasiveness of religious concerns at Rome and the senatorial aristocracy’s monopoly of executive religious authority under its republican systems are beyond question. As we have seen, both of these indisputable aspects of Roman republican religion led earlier observers to formulate an elite-instrumentalist interpretation, according to which the ruling class crassly and duplicitously manipulated religious symbols as a means of controlling naïve and credulous masses. The idea seems to have infiltrated popular ideas about ancient Rome, as in this chapter’s epigraph, dialogue from the blockbuster 1960 film, *Spartacus*. But in recent decades scholars—if not the general, nonspecialist, lay reader—have distanced themselves from it.⁸ In doing so, they have often downplayed the question as to whether Roman aristocrats in some sense “believed” or “had faith” in their gods, deeming such questions to be misconceived and/or entirely irrelevant. They have asserted that earlier scholarly questions of belief or faith were based on nothing more than misguided Christianizing assumptions.⁹ Questions of orthopraxy—meticulous attention to the correct performance of ritual practices—should be seen as the proper object in the

⁶Brunt 1982.

⁷Hopkins and Burton 1983; for a summary of the debates, see Burckhardt 1990 (siding with Gelzer); cf. Walter 2014: 98–99.

⁸The HBO series *Rome*, running from August 2005 to March 2007, at least had it right: Caesar can bribe the priests for divine approval of his acts, while taking his ritual preparations before the showdown with Pompey at Pharsalus with the utmost seriousness.

⁹Cf. Bendlin 2000: 121, “Apparently, it is only with respect to non-Christian ancient culture that scholars routinely make the *a priori* assumption that those internalized motivational processes commonly called ‘emotion,’ ‘individualized mental state,’ or ‘private belief’ must not be the object of the study of religion. This assumption provides the justification for the neglect of internal psychological processes and reinforces the focus on the external aspects of human behaviour.”

study of the Romans' religious life, not faith. In the words of Monica Linder and John Scheid, Roman religion was a matter of *savoir-faire*, rather than *savoir-penser*.¹⁰

In this more recent approach, which we may call the "ideological variant approach," elites do not necessarily stand outside of the "false consciousness" of religion. Elite religious practitioners may be a part of the ideological belief system. In the earlier instrumentalist model, by contrast, elite religious practitioners consciously, willfully, and cynically manipulate a religious charade simply in order to control nonelites. This distinction—elites' participation or non-participation in the belief system—is important, but in both models religion sustains elite power; and in both models there is little or no concern with the subjective mental operations and internal psychological processes of elite religious practitioners. For our purposes, both models fall under the rubric of elite-instrumentalism, broadly defined, but in the pages that follow I shall primarily engage with the earlier, starker formulation as a counterfactual, interpretative tool.

The result of the "ideological variant approach" has muted questions about elite practitioners' "belief"; about what their religious practices meant to them subjectively; about what they thought they were doing in performing them.¹¹ Moreover, while the terms and emphases of scholarly analysis have shifted, the implication of consciously self-serving elite manipulation of religious symbols frequently remains. As Clifford Ando has observed, "To a skeptic, the subsequent dominance within the field of what we now call the 'polis-religion' model looks little different from earlier generations' cynical descriptions of magistrates manipulating rituals for political ends, except that we now speak not of hypocrisy but of ideology, and not of politics but of power."¹²

In order to understand elite religious institutions, practices, and the question of "belief" among the Roman aristocracy in our period, we first have to

¹⁰Linder and Scheid 1993: 50; cf. Scheid 2005; Scheid 2011: 98, "Il ne faut pas prêter à la *religio* publique l'émotion et l'intériorité propres à la conception chrétienne du religieux: les religions gréco-romaine étaient des religions de l'acte et de l'obligation" ("It is not necessary to impute to public religion the emotion and interiority appropriate to the Christian conception of religion; the Greco-Roman religions were religions of act and obligation").

¹¹Cf. Needham 1972: 6 on the premises of much of the work done by anthropologists and ethnographers, "ethnographical accounts of 'beliefs' are not even to be assumed to report the inner states of individuals. They are instead reports about collective representations, and these themselves are taken to be oblique statements about the social order."

¹²Ando 2008: xii. "Ideology" is, of course, a loaded word. As a contribution to the scholarly move away from the earlier form of elite-instrumentalism, this study regards "ideology" in terms of messages serving established power hierarchies, which elites control and are more aware of than non-elites, but are still psychologically beholden to (as opposed to a more inclusive idea, which downplays socioeconomic and status distinctions, such as Simon Goldhill's famous treatment of Attic tragedy (Goldhill 1987)); and it focuses more on elite/non-elite interactions, rather than on the question as to how elites used religious authority against one another (but see chapter 2, section 3).

realize that (1) scholars have been too willing to take unrepresentative and/or anachronistic ancient sources at face value (especially Polybius, Cicero, and Varro); and (2) they have worked under the influence of erroneous, anachronistic conceptual presuppositions developed in subsequent centuries. Skeptical traditions, beginning in antiquity and running through to Enlightenment and post-Enlightenment rationalizing, secularist postulates implicitly undergird a long-lived, class-based misinterpretation of elites' religious institutions and practices. While the most recent work of the leading authorities has demonstrated that religious practices were meaningful and important to those who performed them, elite-instrumentalist interpretations of Roman religion, as we shall see, are still with us.

But first let us briefly consider some recent scholarship in the field, and situate the approach of this work within it. The modern study of Roman religion has focused on what has been called "polis religion," emphasizing the matrices in which public or civic religion was tied to, or embedded in, political and social orders. According to this tradition, polis religion was an integral element in creating civic identity, and to the degree that it foregrounds religion's function as an instrument of power in preserving political and socioeconomic hierarchies, we can consider the polis religion concept as a form of elite-instrumentalism. To be sure, we have begun to move away from such a model. For example, the European Research Council has funded a project called "Lived Ancient Religion" (LAR), for the period from 2012 to 2017. This collaborative scholarly effort aims to put the individual and individual experience back into the study of ancient religions. The LAR team identifies three methodological problem areas that current research must address: (1) the individual, who needs rehabilitation as a religious agent; (2) "Cults" and "Religions," and how these "essentialised" categories have hampered research;¹³ and (3) archaeological investigations of religion, often shackled to the notion that the goal is simply an archaeology of belief systems. Instead, the scholarly consortium of the LAR initiative "focuses on the actual everyday experience, on practices, expressions, and interactions that could be related to 'religion.' Such 'religion' is understood as a spectrum of experiences, actions, and beliefs and communications hinging on human communication with super-human or even transcendent agent(s), for the ancient Mediterranean usually conceptualised as 'gods.'"¹⁴

Insofar as this research agenda is concerned with individual experience and individuals' conceptualization of and relationship to the divine, it has affinities with the orientation of the present study. But there are some key

¹³The categories of "Cults" and "Religions" can facilitate glossing over important areas of religious or quasi-religious experience, such as "votive religion," magical practices, divination or "instrumental religion," and funerary rites and observances for the dead; see Rüpke 2011a: 192–93.

¹⁴Rüpke 2011a, quotation from pg. 196; cf. Linke 2000: 286–93.

distinctions in the theoretical and methodological underpinnings of this book that I should stress at the outset. The first has to do with the notion of “experience.” In contradistinction to the understanding of “experience” as conceived by the “Lived Ancient Religion” coalition, which, it seems to me, finds religious experience in the quotidian interfaces of people, who were usually not religious experts, and formal religious institutions, religious authorities, and the channels through which religious power traveled, my focus is on the interiorized, subjective religious experiences of individual historical agents. And whereas the subject of the LAR scholars would seem to be non-elite, ordinary people getting on with the business of daily life, my subjects are elites, frequently famous ones, often involved in singular events of great historical significance. And so, while both the scholarly agenda as laid out in Jörg Rüpke’s manifesto for the LAR project and my study share concerns with religious practitioners’ experience with the supernatural, my approach differs significantly in the historical subjects under consideration, the type of religious experience under investigation, and the understanding of what is meant by the word “experience.”

As an object of scholarly analysis, “experience” is as difficult and intractable as “belief,” and it therefore demands definitional, theoretical, and methodological explanation. Unlike most scholars working on Roman religion, I am not primarily interested in what functions religions may have served on the plane of human interactions, whether they be political, social, or cultural. My interest does not lie exclusively with religion in “this world.”¹⁵ Rather, I am mainly concerned with psychological and emotional states of elites as individuals, often at times of political, military, or social crisis, as they are reflected in their religious behaviors. I conduct this investigation as an historian of ancient Rome, rather than as a specialist in Roman religion, and my question, I suppose, is really a rather old-fashioned one: did elites of the Middle Republic believe in their gods, in the sense that they actually accepted as a point of fact that there were supernatural forces “out there,” with whom they must negotiate in order to influence the course of events in their favor in the mundane world?

On what theoretical and methodological grounds can one approach such a question? How can the historian hope to recover the intentions of historical agents and the meanings of their actions? Quentin Skinner and the so-called New Contextualists offered one answer. The scholar can work to situate the utterances of human voices from the past in their contemporaneous ideologies in order to find whether the utterances conform to, manipulate, or redirect the conventions of ideological discourses. In short, the researcher

¹⁵See, e.g., Scheid 2011, concerned primarily with religion and temporal power; for illuminating studies on mechanisms for empire, including religious institutions, see Ando 2000; Ando 2008; and Ando 2010.

situates the utterance within its ideological context. From there one can move to the political circumstances, historical conditions, and pragmatic imperatives in which the utterance was produced. In short, the researcher situates the utterance within its practical context. By means of this method the New Contextualist can make a case for having uncovered the meaning of the utterance. Indeed, one can go further, following the German theologian and philosopher Friedrich Schleiermacher, and boldly claim that by following such precepts one is in a better position to uncover the meaning of an utterance or text than its author.

But for questions posed in this study, such an approach proves to be inadequate, since I would like to know something about the mental operations, psychological conditions, and emotional states of my historical agents.¹⁶ In their quest to devise a methodology for uncovering the intentions of authors and the meanings of their texts, Quentin Skinner and the New Contextualist historians do not concern themselves with this problem; that is, recovering historical agents' subjective interiority. I can make no claim to having been able to recover these mental states, which I regard as a methodological impossibility. But I do not think that this admission precludes posing questions about such states, and I maintain that with the suggestions provided by anthropological, sociological, and psychological literature, as well as cultural studies, we can make reasonable inferences about what those mental states were likely to have been, and proceed to build satisfying historical reconstructions on the basis of these inferences. This will be my approach in the concluding chapter, but throughout the rest of the work I infer answers to my question in light of what elites actually did in their religious practices, and in this I have found, perhaps somewhat paradoxically, the elite-instrumentalist model—used for the most part as a counterpoint, as a historical counterfactual—to be a powerful hermeneutical tool.

A few concrete illustrations can indicate how we might infer religious convictions of Roman elites. I shall discuss each of these examples in greater depth further along. Vestal Virgins tended the sacred hearth fire of Rome, and exacting performance of their religious duties was thought to be vital for the commonwealth's safety and well-being. Violation of chastity vows among them constituted a breach of the *pax deorum*. The only remedy was live burial of the offender. Vestals came from well-born families, and we know of individual priestesses from elite families. Try to imagine the psychological state of the father whose priestess-daughter was about to be offered up as a human sacrifice. Under the long shadow cast by Michel Foucault, we can assume that ideological constraints, institutional pressures, and social imperatives in such a traditional, conservative, and rule-bound society as republican Rome

¹⁶See the excellent discussion on methodological considerations in studying the emotions in Cairns and Fulkerson 2015: 1–22, and literature cited there.

shaped the experience and informed the behavior of the father (let's suppose he is a senator). In these terms, he may well have had no real option but to view the ghastly proceedings with specious equanimity and studied reserve. But we can go further and posit the public repression of nearly unbearable grief and suffering as well, simply by an appeal to the parental instinct, so primal not only among human beings, but so many other species in the animal kingdom. Following the principle of Ockham's razor in trying to account for this behavior, should we not think that the senatorial father individually and the Roman aristocracy collectively held strong convictions about the existence of the gods and the crucial importance of maintaining correct relations with them? The burden of proof would seem to lie on those who would maintain otherwise. A similar line of reasoning should inform our understanding of human sacrifice in the Forum Boarium in times of seemingly imminent military disaster or the tradition on the self-sacrifice of generals in battle through the ritual consecration of *devotiones*.

Let us return to the elite-instrumentalist model itself, its history, and its paradoxical longevity. Elite-instrumentalist understandings of religion in classical antiquity rest on the authority of ancient testimony.¹⁷ The so-called Kritias fragment, probably dating from the fifth century, provides an early, and fairly explicit, example from classical Athens.¹⁸ Concerning religion, Cicero remarks that already by the age of Romulus the crudest forms of religious credulity characteristic of primitive times, in particular the apotheosis of human beings, had been left behind. Therefore Romulus' deification, according to him, served to cloak the senators' regicide.¹⁹ In the *Laws* he recommends that provision be made in the ideal Republic to ensure that even private rites not be performed without assistance of those religious functionaries in charge of public rites. This was necessary, he adds, because the well-being of the state requires that the people always be dependent on the advice and authority of the ruling class. He even goes on to say that taking of auspices was intended to bring about adjournment of many unprofitable meetings of the assembly through plausible excuses for delay.²⁰ In *On Divination*, he observes that it was "with regard for the beliefs of the masses and their great utility to the state that the augural science and college were maintained."²¹ According to Augustine, Q. Mucius Scaevola—distinguished consul, pontiff, jurist, and orator—held the opinion that it was useful for states to be deceived concerning religious matters; and he adds that Varro

¹⁷ See the studies assembled by Vaahtera 2000: 252n.11.

¹⁸ Sext. Emp. *Math.* 9.54, with Jocelyn 1966: 98; Sutton 1981.

¹⁹ Cic. *Resp.* 2.17–20.

²⁰ Cic. *Leg.* 2.15.30; 3.27, *auspicia, ut multos inutiles comitiatus probabiles impedirent morae*; cf. Liv. 1.18.6–10: ratification of Numa as king by augury.

²¹ Cic. *Div.* 2.33.70, *ad opinionem vulgi et ad magnas utilitates rei publicae*.

followed Scaevola in this view in his *Divine Antiquities*.²² The first-century poet Lucretius conspicuously suggests that religion is an effective tool for political and social control:

You will yourself some day or other try to run from me, overcome by the terrific utterances of the religious authorities. Indeed, how many dreams can they soon invent for you, enough to upset the principles of life and to confuse all your fortunes with fear. And for this reason: for if men saw that a limit has been set to tribulation, they would have some measure of strength to defy religious fears and threats of the priests; but as it is there is no way of resistance and no power, because everlasting punishment is to be feared after death.²³

In this same vein, Livy purports to give the motivations of Rome's legendary second king, Numa Pompilius, in devising religious institutions:

And fearing lest relief from anxiety on the score of foreign perils might lead men who had before been held back by fear of their enemies and by military discipline into extravagance and idleness, he thought the very first thing to do, as being the most efficacious with a populace which was ignorant and, in those early days, uncivilized, was to imbue them with fear of the gods [*deorum metum iniciendum ratus est*]. As he could not instill this into their hearts without inventing some marvelous story, he pretended that he had nightly meetings with the goddess Egeria, and that her advice guided him in the establishment of rites most approved by the gods, and in the appointment of special officials for the service of each.²⁴

Again, as Livy reports of a later era, in the aftermath of the early fourth-century Gallic capture and ransoming of the city, the Senate decreed that records of sacred rites be the exclusive preserve of the pontiffs, so that they might hold the populace in subjection through religious fears. Dionysius of Halicarnassus, like Polybius before him, was most impressed by the Roman elite's focus on religious matters, and he also states that the authorities knew well how to use external military threats to curb social and economic disturbances at home in time of peace.²⁵

Perhaps the earliest statement of this kind concerning Roman religion—it is certainly one of the most explicit—is found in the mid-second century history of Polybius:

²² August. *De civ. D.* 4.27, *expedire igitur existimat falli in religione civitates*; cf. Cic. *Div.* 2.12.28, 18.43, 35.75 (*rei publicae causa*); *Nat.D.* 1.27.77, 42.118 (pontifex C. Aurelius Cotta).

²³ Lucr. 1.102–111.

²⁴ Liv. 1.19.4–5; cf. Cic. *Leg.* 1.1.4; Plut. *Num.* 8.1–4.

²⁵ Liv. 6.1.10–11; Dion. Hal. *Rom. Ant.* 2.64–73; 10.33.

But the most important excellence of the Roman commonwealth concerns their belief in gods. It seems to me that religious awe, which is censured by other peoples, is the very thing that holds together the Roman state, in which it has been given the greatest dramatic role. This may seem surprising to many, but I think it has been done for the sake of the common people. If it were possible to compose a state of wise men, this might be unnecessary; but since every multitude is fickle and full of lawless desires, unreasoning anger, and violent passion, there is nothing left but to control it with vague fears and scenic effects of this sort. Consequently, I believe that the ancients were not acting without purpose or care when they introduced ideas about the gods and beliefs about those in Hades before the masses, but rather that men today are much more careless and foolish to reject them.²⁶

In *On the Nature of the Gods*, Cicero puts it pointedly:

Take again those who have claimed that the whole idea of the immortal gods is a fiction invented by wise men in the interest of the state, to the end that those whom reason was powerless to control might be led in the path of duty by religion.²⁷

Ancient sources, therefore, clearly support the idea that the ruling class used religion in a calculated way as a vehicle for political and social control, and they have fueled the longevity and persistence of the elite-instrumentalist interpretation of Roman religion. But for the primary chronological focus of this study the ancient evidence cannot stand up to close scrutiny. First of all, our most explicit statement on religion as a means for political and social domination comes from Polybius. While it is true that he was writing during our period (ca. 150), Polybius was a highly educated, aristocratic Greek from a powerful political family in the Peloponnesus, a man who was quite familiar with Greek skeptical philosophical positions on religion. He wrote his history of the Roman empire while a political hostage at Rome.²⁸ The point is that Polybius was a cultural outsider; his views therefore cannot be taken to be representative of those of Roman senators, generals, and priests. Aside from Polybius, almost all Roman authors who express an elite-instrumentalist view on religion were writing during the Late Republic or later, and thus are not direct evidence for third- and second-century Romans. As Beard, North, and Crawford note, late republican writings on religion show a seismic change from what went before, with a new, skeptical,

²⁶ Polyb. 6.56.6–13; cf. 16.12.9–10. But it is important to note that Polybius's example at 6.56.14 demonstrates the belief system's effect on Roman senators (παρὰ δὲ Ῥωμαίοις κατὰ τὴν ἀρχαίαν καὶ πρᾶξιν). I thank Robert Morstein-Marx for discussing this passage with me.

²⁷ Cic. *NatD.* 1.42.118; cf. 1.27.77

²⁸ See Eckstein 1995: 1–16; Champion 2004a: 15–18.

self-reflective, and critical analysis of traditional religion on the part of *some* of the ruling class, who *did* give expression to the idea that religion was a useful way to deceive and control nonelites.²⁹ But to employ this literary evidence for our period would be an anachronistic historical distortion, since such passages cannot straightforwardly be considered representative of elite views in earlier periods.

The above quotations from Cicero, Lucretius, and Livy seem to state the elite-instrumentalist interpretation of religion in no uncertain terms, giving grounds for supposing that, at least by the time of the Late Republic, ruling elites did view the state religion in such a way, but even here the matter is not so simple. In an important article, Mary Beard showed the complexities of trying to understand Cicero's position on religion in *On Divination*.³⁰ In the second book of that work, Cicero seems to be the rational skeptic *par excellence*, who thinks the only useful thing about divination is its political expediency. But, as Beard argues, this is not at all the case in some of Cicero's other writings. And concerning *On Divination*, there is no reason to prefer the skeptical Book Two over the arguments in Book One in favor of divination as an index of Cicero's own considered opinion on the subject. Rather, we should realize that this text is an exercise in aporetic Academic philosophizing.³¹

Drawing on work in cultural history and anthropology, Beard further suggests that Cicero wrestled to reconcile Hellenizing philosophy and traditional Roman politics and religious institutions. His efforts resulted in "problems of cultural integration" in the theological works, and a certain degree of ambiguity, uncertainty, and suspension of judgment, as personified by the interlocutor C. Aurelius Cotta, a consular pontifex, in *On the Nature of the Gods*. Cicero himself, Beard argues, plays a similar role in *On Divination*. Moreover, the dialogic form itself allowed ambiguity, but Cicero plays on such ambiguity in his theological works in ways that he does not in other parts of his corpus, further suggesting a "cultural clash between different systems of thought." The important point of all this for our purposes is to show that in literary passages from late republican texts, which seem to be straightforward statements of skeptical, incredulous elite-instrumentalism, cultural, intellectual, and literary-generic contexts reveal that, even here, religious skepticism on the part of their author does not necessarily follow.³²

²⁹ See, e.g., Cic. *Clu.* 49.138; *Planc.* 6.15; *Mur.* 35–36; Liv. 43.13.1–3; and the statement of Q. Mucius Scaevola, Pontifex Maximus and consul (95), at August. *CD* 4.27, with the comments of BNP 1.116, 150–51; cf. Verg. *Aen.* 1.142–56; Welwei 1966; Vanderbroeck 1987: 187–88. See now Rüpke 2014 and Rüpke 2015a, on the "historicisation" of religion in the Late Republic.

³⁰ Beard 1986.

³¹ See Cic. *Div.* 2.72.150.

³² See now Luke 2014 for the serious theological dimensions of late republican leaders in staging their entrances into the city of Rome, though he does not directly address the question of elites' subjective religious experiences.

Let us now turn to elite-instrumentalist interpretations of Roman religion in recent times. Benjamin Farrington expressed it in the most trenchant terms in his *Science and Politics in the Ancient World*. Farrington's strident and tendentious Marxist overtones ensured that ancient historians and classicists paid scant attention to his work (with Moses Finley and Lily Ross Taylor being notable exceptions), but since he blatantly expressed a view, which I argue lies more subtly at the base of some of today's scholarship, his work will serve as a useful point of departure. Farrington believed that in ancient Greece and Rome the ruling elites used religious symbols in order to overawe and impose their will upon gullible masses. He had the highest regard for Epicurean philosophy, in his conception a bastion of light in the darkness of ancient deceit, capitalizing on popular superstition. His particular hero was Lucretius, whose work *De rerum natura* exposed the utterances of the religious authorities for the terrible lies and intimidating distortions that they were.³³

Farrington wrote in 1939, and scholars today certainly would reject the formulation as he so bluntly stated it. As early as the mid-1960s, H. D. Jocelyn issued a devastating critique of the elite-instrumentalist interpretation. More recently, scholars would seem to have laid it to rest. By way of illustration, I juxtapose the comments of John North, writing on the later Republic (a period for which the idea of elite manipulation of religion for political and social control can be more easily defended than for the period comprising the main focus of this study), Greg Woolf, and Veit Rosenberger, respectively.

The idea that the whole college of *pontifices* and the whole Roman senate were engaged in a religious charade carried out for the benefit of the masses seems as unlikely as any hypothesis can be. It also seems to rest on a profound mistake: the underlying idea has to be that, as Roman nobles became more educated and sophisticated, they easily turned away from belief in the gods and towards some form of scientific materialism, believing that the universe could be explained without recourse to gods. But this assumption is an anachronistic one: easy scientific rationalism may be available in our time but it was not in theirs. There were some philosophical systems that disposed of the gods or marginalized them, and some of the Roman elite certainly understood or followed such systems; but to jump from that to the assumption that the elite were all scientific rationalists exploiting the ignorant masses is quite without justification.

³³Farrington 1939: 163, "[The] governing circles in general took the opposite view to that urged by Epicurus on the question of the religious enlightenment of the masses. While to Epicurus it appeared that the minds of men could never be at rest while they were stuffed with false notions on the nature of things, to the rich oligarchs it appeared that society, that is to say the political system under which they enjoyed their privileges, could never be safe unless they continued to apply the policy of the Noble Lie."

Accepting the interested nature of the religious action need not entail a return to the view of ancient elites as closet rationalists, keeping up the mumbo jumbo for the sake of the gullible and superstitious masses. Rather we should imagine that a good many of them conceptualised their views in purely religious terms, without being ignorant of their interest in the status quo. The religious sensibilities of those northern European princes who sponsored the Reformation provide a distant parallel, and it is well known that the proponents of any dominant ideology are often those most convinced of its truth.

Although the senate held ultimate power in the process of expiating a prodigy, it would be missing the point to interpret the Roman prodigy system as having been controlled by cynical and unscrupulous senators leading the dumb masses. Prodigies were not expiated because of the superstitious masses.³⁴

Those remarks and others like them would seem to be the end of it; there is surely no need to beat a dead horse in arguing against the elite-instrumentalist interpretation of Roman religion. Devastating comments like those of Jocelyn, North, Woolf, and Rosenberger have certainly exposed what we might call the "Farrington-thesis" as a ridiculous proposition. Moreover, recent work in Roman religious studies has indeed acknowledged the importance of rituals for the performers of them, late republican writers' intense interest in religious minutiae, and the crucial role of religion in creating and sustaining the political community. At this point in the history of the scholarship on Roman religion, one might think that refutation of the elite-instrumentalist position hardly warrants book-length treatment, and this is not my primary purpose in engaging with this more-or-less outdated model. But it is simply not the case that elite-instrumentalism has vanished altogether, even in the most recent work. Indeed, in more subtle and muted tones the idea that the senatorial aristocracy willfully employed religion for political purposes and social control has found influential adherents. Lily Ross Taylor, writing of the last decades of the Republic, provided a prototypical statement of elite-instrumentalism. "The rival manipulation of religion by opposing groups in the nobility, each seeking to show that heaven was on its side, must have weakened the confidence of the people. But even in the days of anarchy faith was strong enough in the masses to make religion an effective political weapon." She added, "The people, confused no doubt, and weakened in their faith, were still bound by old-time superstition."³⁵

³⁴Jocelyn 1966; North 2000: 31; Rosenberger 2007: 294; Woolf 2003: 44; cf. Woolf 2003: 42, "[P]revious accounts of insincere 'manipulation' of religion for political ends have been superseded by descriptions of how a religion conceived of as homologous with the political and social might help mediate political and social change."

³⁵Taylor 1949: 78, 96, who here seems to subscribe uncritically to the pronouncement at Polyb. 6.56.6–13.

Other scholars have subscribed to Taylor's Polybian view of Roman republican religion. R.E.A. Palmer asserted that the most ancient assembly, the *comitia curiata*, which worshipped Juno Quiritis and celebrated the annual religious festivals of the Fornacalia and Fordicidia, was "the patrician instrument of power" in the archaic Roman community; while George Szemler stated, "The rites, precise performance of duties, as the major part of the Roman cult, held the masses in awe, similar to a papal audience of today or some formal, glittering state occasion such as a presidential inauguration. Thus, cult and rites were fostered emphatically by the governing nobility for the sake of political expediency, and for that only."³⁶ Andrew Lintott observed, "It is . . . clear that [*auspices*] were only trusted as a prerogative of the most senior members of the élite and as a contribution to their political control."³⁷ He also noted that in "matters of cult the ideology praised by Polybius was paramount, that of controlling the passions of the plebs, or, if we take Cicero's point of view, ensuring that the people were dependent on the advice and authority of the *optimates*." Considering the impact of literacy upon the religious system, Richard Gordon maintained that "[t]he process can be understood as one which transformed an originally common cognitive project into an essentially arbitrary set of rules whose primary effect was to perpetuate elite control over the system. In short, the growing significance of writing in Roman religion was one of the most important means of turning that religion into an ideology, into a means of maintaining the social domination of the elite." According to Carl Koch, "It is . . . clear how the nobility's 'negligence' toward the state cult among others could arise even from reflection based upon a philosophical belief in god. The intellect and perspiration required for the precise execution of received sacred laws would then have been, god knows, unnecessary, had it had as its object anything less than spiritual control of the *vulgus*."³⁸ John Scheid wrote, "To be sure, it would not be too misleading to suggest that the elite also played upon the irrational fears of the common people, so as to more easily bend them to its will." Ryan Balot, in the introduction to an excellent collection of essays on

³⁶ Palmer 1970: 281; Szemler 1971: 129. The *Fordicidia* (15 April) is an excellent example of the inadequacies of the elite-instrumentalist interpretation of Roman religion, since to my mind it fails to account for the ritual practices of the festival, which included the sacrifice of pregnant cows and tearing out and burning of their fetuses in order to promote agricultural fertility. The process of sympathetic magic—fertility of the slaughtered cows was encouraged to pass to the grain fields—is perhaps understandable in the archaic Roman community, where it most likely originated; yet it apparently continued in the cosmopolitan capital of Ovid's time (*Fast.* 4.629–39); see Scullard 1981: 102; Dumézil [1966] 1996: 371–74; and especially Beard 1987, whose particular focus is on the *Parilia* festival (21 April).

³⁷ Lintott 1999: 104 and n.44, 190, citing Polyb. 6.56.11; Cic. *Leg.* 2.30.

³⁸ Gordon 1990: 191; Koch 2003: 310; cf. 316, "Above the entry to each priesthood one could read, as if on a placard: 'He who enters here has to be illogical his entire life for the preservation of the general morality of the people and has to go through the motions of something that he himself does not completely believe.'" These quotations come from an English-language translation of a work originally published in German in 1960.

Greek and Roman political thought, hedges on the degree to which Roman religion obstructed political rationality, noting “the common tendency of the Roman elite to manipulate religion for political purposes.” Rachel Feig Vishnia has perhaps stated the elite-instrumentalist position most bluntly of all. “Religion in Rome was a recognized tool of political control, the substitute for military discipline in civilian life.”³⁹ The elite-instrumentalist position is commonplace in studies of the Principate as well. For example, in her book on the gladiatorial arena, Alison Futrell notes, “The result of Roman religiosity was world empire, a causal connection acknowledged as early as Polybius. The development and maintenance of that empire, its reconciliation within the Roman conceptualization of power, would likewise utilize religion.” Zsuzsanna Várhelyi has studied elite religion during this later period, pointing out a “contrast to the republican model in which religious roles were sought out so as to enhance and further political progress.”⁴⁰

In a fine recent study of Roman republican religion, Jörg Rüpke, one of our leading authorities in the field, argues that by the time of the Late Republic Romans were well along in the process of “rationalizing” their religion. In other words, through a close acquaintance with Greek philosophical arguments, and with “Hellenization” generally, they devised a critical discourse on religion, and the state religion, through a higher degree of organization, systematization, and rational planning of rituals and festivals, imposed social controls. Refreshingly, however, and in contradistinction to the elite-instrumentalism I have been discussing, Rüpke is concerned with the ways in which “rationalized” religion curbed the unbridled ambitions of the ruling aristocracy. In his reconstruction, the organization of religion harnessed the ambitions of elites and their internecine competition among themselves.

As the establishment of a normative framework for political careers channeled the possibilities for martial success or, to put it more broadly, the exercise of aristocratic excellence, so, too, the spectrum of rituals channeled public communication. Social control was produced by forcing the members of the nobility to employ the framework of public rituals and by restricting access to them: the organization of the games is restricted to certain magistrates or returning generals, the

³⁹Scheid 2003: 152; Balot 2009: 8 and n.2; Feig Vishnia 1996: 176 and n.165; cf. Rawson 1991: 149–68, focusing on political dimensions of religious struggles in the late second century. For a notable exception to the commonplace view, see Finley 1983: 27, arguing that religion was “not . . . the decisive, let alone a sufficient, factor in the process by which such great authority was acquired by the system and then maintained for a long time.”

⁴⁰Futrell 2000: 78; Várhelyi 2010: 17–18. With an emphasis on senators’ religion as a mediation of power relations with the emperor and a means for articulating a cultural identity for the *ordo*, Várhelyi uses the lens of a (somewhat modified) Foucauldian notion of power. Her work therefore implicitly studies how elite religion served to reinforce political and social hierarchies in the first three centuries of the Principate. That is to say, her work still falls under the elite-instrumentalist scholarly umbrella.

triumph has to be individually approved by the Senate after discussion of the achievements of the preceding campaign. Control was likewise exerted by the long delay in the construction of permanent theaters, which imposed upon would-be celebrants the high cost of building new, temporary infrastructure for a single ritual, and by new debates about and licenses for places for temples. In order to prevent individuals from engaging in wholesale dissent from these new frameworks, the ritual has to be allotted high prestige (e.g. the opening of the most prestigious temple of Iuppiter Optimus Maximus for the triumph, and longer periods for games).

Rüpke has little to say about elite religion and social control of nonelites. In elite-instrumentalist language, he asserts that “public control and religious form went hand in hand,” but, as noted, his emphasis is on how public control worked for “the internal cohesion and coherence of the nobility.”⁴¹ Yet even in this sensitive study, hints of elite-instrumentalist presumptions emerge from time to time. For example, in a chapter devoted to the pontifical calendar and the law, Rüpke states that the *nundinae* “were categorized narrowly as *dies fasti*, since this allowed legal actions to be initiated but excluded the sitting of committees and decision-making assemblies of the people.” And he goes on, “In this way the assemblies were deprived of spontaneity, and the plebeian assembly lost its wild-card nature, being now integrated into the political system and subjected to its notionally disinterested controls.”⁴² Moreover, like much recent scholarship on Roman religion, Rüpke’s book does not focus on a principal concern of this study: the question of subjective, interior states of elites engaged in carrying out religious imperatives and ritual injunctions.

I could go on assembling illustrations of explicit and implicit subscriptions to elite-instrumentalism in recent scholarship on Roman religion, but I may have already taxed the reader’s patience with my string of examples. I shall stop here and trust that these illustrations have served their purpose: to demonstrate that elite-instrumentalism is not yet quite dead. Yet it is safe to say that it is no longer a question of much interest for scholars working in the field, and my reason for engaging with this model is not to mount a refutation of it. It is true that one of the by-products of this study will be to show that the ghosts of elite-instrumentalism still haunt our thinking, and that while the model has validity up to a certain point in our historical understanding of elites’ religious practices (Polybius was no fool, and we must take his statement at 6.56 seriously), it must be kept within due proportions. But I am rather principally interested in elite-instrumentalism as a powerful

⁴¹Rüpke 2012: 47 (quotation), 81, 101; cf. 213, “To state my thesis in the most pointed terms possible, from the late fourth century onward, religion became the decisive medium for public control of aristocratic competition.”

⁴²Rüpke 2012: 109–110.

hermeneutical tool for understanding elites' religious practices and behaviors, when it is employed as a counterpoint, as a nonstarter, as a counterfactual backdrop against which to think about those practices and behaviors.

In the remainder of this chapter, I would like to characterize, in general terms, some of the main features of elite religion in the Middle Republic. It will be the work of subsequent chapters to marshal historical evidence in support of this general description. Revisionist scholars—some of whose work we have canvassed—have not only stressed the theological chasm separating Roman religion from Jewish and Christian religions, but have also downplayed the quasi-contractual nature of the former, emphasized in earlier scholarship. *Do ut des* (“I give in order that you may give”) is the well-worn phrase that supposedly encapsulates this alleged basic principle of contract between men and gods. According to this interpretation in its most extreme form, it was believed that proper observances of ritual imperatives and perfectly articulated prayers resulted in the gods granting what was requested of them, from victory in battle to healing of personal ailments. The religious authorities' main task was to regulate relations between humans and gods in order to ensure the *pax deorum* and good fortune for the Republic. For scholars of earlier generations, Roman religion accordingly emerged as uninspired, fossilized, and insipidly mechanistic. It was devoid of true religious feeling, eventually becoming, as we have seen, merely an ideological tool of the ruling elite in service of its political and socioeconomic primacy.⁴³ In their desire to revise this picture, to stress the crucial importance and dynamism of orthopraxy, to focus attention on what Romans actually did in their religious practices and not on their interior, subjective states, and to demonstrate that Roman religion was vibrant, creative, and adaptable, scholars have shown the simplistic, mechanistic view of the contract-religion model to be woefully inadequate, but they have frequently left the elite-instrumentalist interpretation intact as an implicit assumption and avoided almost entirely the question of elite “belief.”

Although the idea of a “contract religion” in its starkest form has not withstood scholarly attacks made against it, the core notion cannot be entirely jettisoned.⁴⁴ For example, mutual obligation and demands of reciprocity between humans and gods are nicely illustrated in the juxtaposition of two passages from Plautus (though in both, the playwright emphasizes failed reciprocity). In his *Poenulus*, first produced perhaps in the later 190s,⁴⁵ the comic poet has the pimp Lycus complain of the inefficacy of his sacrifices to Venus:

⁴³ See e.g., Warde Fowler 1911: 270–91.

⁴⁴ Pace Ando 2008: 14n.34.

⁴⁵ The reference to the capture of Sparta (663–65) may indicate a nearly contemporaneous allusion to the war against Nabis in 195.

I wish all the gods may make that man unhappy; that is, the pimp who ever sacrifices any victim to Venus or offers up even a grain of incense to her. For I—miserable me!—myself today sacrificed six lambs, but I could not gain any favorable sign from Venus. Since I couldn't get good omens, I went away from there at once in anger, without allowing them to cut off the sacrificial organs.

In the prologue of the *Aulularia*, Euclio's *lar familiaris* ("household god") gripes about the treatment he has received from the male heads of the household and justifies the dereliction of his tutelary obligations to them:

So that no one wonders who I might be, I'll explain in a few words. I am the *lar familiaris* of the house you have just now seen me exiting. For many years I have possessed this household and cared for it for the father and grandfather of the man who now has it. . . . After the one who entrusted the gold to me died, I started to observe whether the son would honor me more than the father had. In point of fact, he showed increasingly less concern for me and paid me less honor. I returned the favor: and he too died.⁴⁶

Epigraphic testimony complements these poetical texts. In 193, M. Valerius Messalla, the peregrine praetor at Rome, sent a letter to the Teans, assuring them of the protected status of inviolability (*asylia*), as far as the Romans were concerned. The epigraphic text of Messalla's letter supplies striking corroboration of both the Romans' preoccupation with religious concerns, as well as the idea among them that correct observance of religious imperatives could result in tangible rewards in this world:

And as for the fact that we always revere the gods, making this our highest goal, one could calculate especially from the favor accompanying us on account of these things from the divine. Moreover, we are certain that the special honor we give to the divine is completely clear to everyone from many other things as well.⁴⁷

A striking example of Roman contractual relations with the divine comes in the religious remedies to restore order in the aftermath of the military disaster at Trasimene. These remedies included a "Sacred Spring" (*ver sacrum*), the sacrifice to the gods of produce generated in that spring. These measures were to be undertaken on condition that "the Republic of the Roman

⁴⁶ Plaut. *Poen.* 449–56; *Aul.* 1–20.

⁴⁷ *Syll.*³ 601, lines 11–17; Rigsby 1996: 314 no. 153, with Ma 1999: 94–102; for Messalla, cf. Liv. 34.54.2, 55.6; *MRR* 1.347; cf. *Syll.*³ 611, lines 23–25 (C. Livius Salinator, cos. 189, to Delphians). See also Cic. *Nat.D.* 3.2.5–6, expressing the same sentiment (*quae [civitas] numquam profecto sine summa placatione deorum immortalium tanta esse potuisset*); Cic. *Har. Resp.* 9.19 (*pietate ac religione . . . omnes gentes nationesque superavimus*); Cic. *Nat.D.* 2.3.9; (*religione id est cultu deorum multo superiores*); Liv. 6.41.8–9; 44.1.11; Val. Max. 1.1.8.

People, the Quirites, should be preserved . . . for the next five years.”⁴⁸ Finally, in his *On the Nature of the Gods*, near the end of Book One, Cicero has the interlocutor C. Aurelius Cotta comment on the mutual obligations between mortals and gods:

Why indeed do you say that the gods must be regarded by men, if the gods not only do not regard men but are entirely without cares and do nothing at all? “But they have a certain distinctive and outstanding quality, so that it is fitting for the wise man to worship them by this very quality.” But how can there be anything outstanding in their nature when, rejoicing in their own pleasures, they neither will ever act nor are acting nor have acted? Moreover, how can piety be owed to him from whom you have received nothing? Or what can be owed to him who absolutely deserves nothing? Indeed, piety (*pietas*) is justice towards the gods; but how can there be anything of justice between them and ourselves, if we have nothing in common? Holiness (*sanctitas*) is knowledge regarding the gods, but I do not understand on what grounds they must be regarded if nothing has been received or is to be hoped for from them.⁴⁹

Orthopraxy, then, was thought to create optimal conditions for the gods’ favor, and the possibility for Roman success. Furthermore, as Livy’s battle narratives make abundantly clear, Romans trusted that persistence and repetition (*instauratio*) of ritual atonement and propitiatory sacrifice could result in successful outcomes (*litationes*) when matters had initially looked bleak for their cause. A more drastic step would entail the alteration or modification of ritual procedure (*emendatio*). This quasi-rational system of obligatory religious practices in return for (possible) divine favor addressed the Romans’ practical concerns and political/military objectives. As John Scheid has observed,

All [religions] are based on a deeply rooted conviction in people’s minds (*all* minds) that the gods exist and that one needs to behave in accordance with that reality. Roman tradition on the relationship of humans with the gods set the highest value on reason, the sense of law so characteristic of a civic culture. In this context terror before the immortals played a marginal role. That, at least, was what the rituals and the theological treatises proclaimed. For this religion and the elite

⁴⁸Liv. 22.10.2, *si res publica populi Romani Quiritium ad quinquennium proximum . . . servata erit*; cf. Engels 2007: 432–40. On the “Sacred Spring,” see Strabo 5.4.2 (C 240), 5.4.12 (C 250); Liv. 34.44.1–3, 6–8; Dion. Hal. *Rom. Ant.* 1.16.1–5.

⁴⁹Cic. *Nat. D.* 1.115–16, with Brunt 1978: 164–68, conveniently in Champion 2004c: 164–67. For an example of divine punishment for not having correctly carried out ritual prescriptions, see Liv. 1.32.8 (Tullus Hostilius errs in performing obscure rites to Jupiter Elicius found in Numa’s religious books; Jupiter strikes and kills him with his thunderbolt); cf. Hor. *Carm.* 3.6.1–8.

that controlled it were, in fact, struggling against an irrational terror of the gods and superstition, far more than they were using that terror in order to govern more easily.⁵⁰

But on this view, it is still the elites who, as religious experts, were applying “rational” principles in order to establish correct human relations with the divine. Only now the religious authorities acted in order to alleviate or mitigate irrational terrors of the populace, rather than to exacerbate them as a means of political and social control. The emphasis is still on one-way communicative actions from elites to nonelites.

This study breaks with such approaches, instead seeking to root elite religious authorities in their own religious practices in order to understand what their behaviors meant to them. It argues that scholars such as John North, Greg Woolf, Veit Rosenberger, and John Scheid are correct in downplaying the idea that elites used terror about misreading the gods’ will for governing nonelites (as Polybius emphasizes), but it also stresses that the struggle against “an irrational terror of the gods and superstition” took place among both elites and nonelites. This was the case because religious practices could in no way guarantee the gods’ good-will and beneficence; and in practice religious observances, no matter how punctiliously carried out or how many times repeated, sometimes failed to deliver the desired results. This is precisely where the contract-theory of Roman religion breaks down.⁵¹ The elite religious system, I shall argue, was steeped in fear, and elites were not immune from the psychological pressures of trying to maintain the gods’ good-will and the dread of failing to do so. According to Roman conceptions, ecstatic and emotional religious expression was likely to give rise to malevolent forces, and so religious practices had to be stripped of these elements, tamed, and in some sense “Romanized.” This is why the serene and precise execution of religious prescriptions as public acts, conducted guardedly by statesmen-priests with the requisite *dignitas* and *gravitas*, was so essential to the well-being of the commonwealth in Roman aristocratic conceptions.⁵²

In stressful situations, such as the cataclysmic Hannibalic War, old gods and old rituals could be rediscovered, or new gods and new rituals could be introduced and found to be Roman after all. Collective anxiety peaked at various times in the period under consideration, and religious institutions and practices were consequently placed under severe strain. In these parlous times, control was essential for the aristocracy in religious affairs, but it was

⁵⁰ Scheid 2003: 152.

⁵¹ North 1989: 593.

⁵² See Linder and Scheid 1993: 49–52; also Bell 1997: 138–69. Cf. Cic. *De imp. Cn. Pomp.* 47, “What is left for me is to speak about good luck—which nobody is able to mention of himself but we can recall and record regarding another—just as men speak about the power of the gods, timidly and briefly” (“*de potestate deorum, timide et pauca dicamus*”). For priests resigning due to errors in ritual performance, see, e.g., Val. Max. 1.4–5; Plut. *Marc.* 5.3–4.

not merely control over dull-witted and credulous masses, and not only a self-imposed control in order to curb ambitions of its individual members, but rather a matter of self-assurance in the discovery and execution of religious imperatives as collective angst mounted. When the Roman community's situation improved, the fortunes of deities invoked at the time would rise and the efficacy of ritual practices performed would be verified on the logical fallacy *post hoc ergo propter hoc*.⁵³ The contention, in other words, is that an irrational, creative, and aleatory dynamism lay at the base of elites' understanding of and approach to religious institutions and practices; and that this resulted in considerable psychological stress and fear for elites entrusted with maintaining the *pax deorum*. The following chapters consider various aspects of their religious behaviors and employ various methodological approaches rather eclectically in interpreting these, but they all lead to this same conclusion.

Thus far I have agreed with the scholarly consensus that religion was all-pervasive in the Roman Republic; that religious authority was the preserve of the aristocracy; and that religion served to maintain the socioeconomic hierarchy and political order at Rome. I also accept that Roman aristocrats used religion as a means for their own political and social control, but I object to suggestions that they routinely did this consciously, incredulously, and duplicitously. To state categorically that they did so presupposes that there are defensible grounds for attempting to uncover—or recover—the subjective psychological states of historical agents. As discussed earlier, in terms of ritual behaviors of religious authorities, this would mean that conscious intentions of celebrants during the conduct of ritual duties are somehow accessible.⁵⁴ To reiterate, in this book I make no claims to have recovered directly psychological states of religious authorities carrying out prescribed chores, but I draw upon studies in psychology, sociology, anthropology, and cultural theory in order to infer their psychological states and subjective operations. Considering their actual religious behaviors with the illumination of the elite-instrumentalist model as a counterfactual nonstarter can both suggest what their quality was likely to have been and definitively state what it was not. The following chapters examine formal institutional religious structures

⁵³ Cf. Ando 2008: 13: "Roman religion was . . . founded upon an empiricist epistemology: cult addressed problems in the real world, and the effectiveness of rituals—their tangible results—determined whether they were repeated, modified, or abandoned." Ando does not consider the irrationality of the premise, nor the psychological ramifications for religious practitioners.

⁵⁴ R.G. Collingwood, in *The Idea of History*, famously maintained that rational thought processes and intentions, if not emotional and psychological states, are indeed recoverable through "reenactment"; see D'Oro 2000. In any event, as I am suggesting, we are not dealing with thought processes and intentions that were entirely "rational." To my mind, Quentin Skinner's essay, "Meaning and Understanding in the History of Ideas" (conveniently available in Tully 1988: 29–67), and Clifford Geertz's collected essays in *The Interpretation of Cultures* (1973), still provide most sensible introductions to the problem of recovering intentions of authors and historical agents.

in action with a primary focus on the priesthoods, discrete historical moments in which religious preoccupations were predominant (typically times of collective crisis and societal stress), and statements on religion found in Greek and Roman literary texts. Throughout I attempt to historicize elite-instrumentalist readings of the interrelationships between religious practices and the maintenance of sociopolitical order.

Having highlighted some aspects of Roman religion relevant for the purposes of this study, as well as some of its theoretical and methodological precepts, let us now turn to a range of questions about the state religion in the city of Rome itself, considering domestic politics there, religious issues as part of political debates and power struggles, the degree of the *plebs urbana*'s active involvement in such controversies, their level of understanding of and interest in fine points of ritual prescriptions and injunctions, the problem of secretiveness and meticulous detail of elites' religious knowledge and praxis, the proportion of the entire citizen population able to participate in the creation and performance of civic polytheism, and the extent to which official religion administered to the everyday needs and concerns of the populace.

TWO

Domi: Priesthoods, Politics, and the People

What's the matter,
That in these several places of the city
You cry against the noble Senate, who,
Under the gods, keeps you in awe, which else
Would feed on one another?

—William Shakespeare, *Coriolanus*, Act I, scene i

The idea that the senatorial aristocracy had a stranglehold on political processes throughout republican history is old. It has been bolstered by the authoritative and highly influential studies of Gelzer, Münzer, and Syme, which focused on the ruling elite and seemed to place the oligarchic interpretation beyond serious challenge.¹ Some of the bases of the “Iron Law of Oligarchy” reading of republican politics are beyond dispute.² It is true, for example, that a patrician-plebeian aristocratic class dominated tenure of the consulate, the highest elective office, that elite leaders shaped popular opinion through *contiones* before the People voted, and that only the nobility, as magistrates and ex-magistrates, regularly spoke to the People.³ The most important popular assemblies, the *comitia centuriata* and the *comitia tributa*, presented no opportunity for extended deliberation and debate and were structured to the political and socioeconomic elite’s advantage.⁴ Moreover, once comitial assemblies were in the process of voting, the presiding magistrate could still intervene and alter the outcome. At the elections of 214/13, for example, the

¹ Gelzer (1912) 1975 (cf. Gelzer 1962); Münzer (1920) 1999; Syme 1939; For concise accounts of the debate on the political nature of the Roman Republic, selectively summarized here for this chapter’s main purpose—to offer models for understanding the state religion—see Jehne 2006; Wiseman 2009: 5–32.

² Michels (1915) 1949 coined the famous phrase, the “Iron Law of Oligarchy.”

³ See Morstein-Marx 2013: 30, “a steeply hierarchical speech-situation based fundamentally on the speaker’s possession of plausible claims to privileged knowledge while the popular audience lacked independent sources of authoritative information”; cf. Flaig 1995: 81–82. Even lower-class citizens formally had the right to speak in a *contio*, provided that *they were invited to do so* by the presiding magistrate (Morstein-Marx 2004: 40n.24). For reaffirmation and sophisticated, nuanced extension of the idea of republican Rome as an aristocratic political culture, see Hölskeskamp 2010 (a revised and expanded English-language edition of Hölskeskamp 2004); cf. Champion 1997b. I employ the term “People” loosely, which may refer to the *comitia centuriata*, the *comitia tributa*, the *concilium plebis*, audiences in *contiones*, or nonelites generally; whenever the distinction is important for the discussion, specification is made.

⁴ Cic. *Resp.* 2.22.40 states that already in the Servian constitution the centuries were organized to give the wealthiest citizens preponderant voting powers; but cf. Yakobson 1992; Yakobson 1999: 20–64.

consul Q. Fabius Maximus ordered the first century (*centuria praerogativa*) to go back and reconsider its vote, and in 200 the consul demanded a referendum, in which the People reversed its earlier decision to remain at peace with Philip V.⁵

Despite its longevity and the weighty authority of its scholarly proponents, the oligarchic interpretation of republican political life has come under fire in recent decades. Alternative viewpoints were stimulated by the “communicative turn” in analyses of the Republic, emphasizing the importance of communications between elites and nonelites. This shift in scholarly focus owed a great deal to the influential works by Claude Nicolet and Paul Veyne.⁶ With a series of publications beginning in the mid-1980s, Fergus Millar reopened and enlivened the debate.⁷ Notwithstanding the oligarchical features of the republican political system, Millar posed a simple question. How are we to account for elite preoccupation with rhetorical training and oratorical skill? Surely this concern indicates that elites believed their public image mattered and that stakes in the oratorical arena were high. Popular approval, renown, and political ascendancy through the *cursus honorum*, leading to a military command, which perhaps would culminate in the spectacle of a triumph (although formally granted by the Senate, symbolically the quintessential manifestation of the populace’s recognition and gratitude) were among the gifts at the People’s bestowal.⁸ Furthermore, legislation against electoral bribery (*ambitus*) and the politics of largesse (*largitio*) would be incomprehensible, if the People’s political powers had been negligible. Informal political gatherings (*contiones*), comitial assemblies, public games (*ludi*), and gladiatorial displays (*munera*) provided stages for expression of popular will and were barometers of public opinion, which the senatorial aristocracy could ill afford to ignore.⁹ And then, of course, there was the wild card of the political system, the tribunate, whose formal purpose was to serve as watchdog of plebeian rights, possessing considerable powers of obstruction of political

⁵Liv. 24.7.11–9.6; Liv. 31.6.1–8.2. One must not go too far here, however; otherwise the entire series of *popularis* legislation passed both in the Middle and Late Republics becomes incomprehensible. I thank Robert Morstein-Marx for emphasizing this point in personal correspondence.

⁶Veyne (1976) 1990; Nicolet 1980 (originally published in French in 1976). See Morstein-Marx 2013 on the elites’ communicative powers and ‘cultural hegemony.’

⁷Millar 1984; Millar 1986; Millar 1989 (reprinted in Millar 2002: 85–161); cf. Jehne 1995: 1–9; Champion 2004/2005. Millar 1998 resumed and extended the argument.

⁸See Cic. *Planc.* 4.11–5.12. At the People’s bestowal in the sense that the achievements of a satisfactory aristocratic career would have been impossible without the first step: success in electoral *comitia*; cf. Cic. *Leg. Agr.* 2.37.102, *vos, quorum gratia in suffragiis consistit* (“you, whose influence resides in your votes”). On the triumph, see the discussion in chapter 4, section 1.

⁹Cf. Cic. *Sest.* 50.106. On *ambitus*, see Lintott 1990; Mouritsen 2001: 90–127, 149–51; Tatum 1999: 57–58, and references at 259n.141; for the politics of largesse, see Jakobson 1992; Jakobson 1999; and the classic study of Veyne (1976) 1990; on *contiones*, see Taylor (1966) 1990: 15–33; Pina Polo 1996; Fantham 1997 (“the perilous art of political lion-taming”); Mouritsen 2001: 38–62; Morstein-Marx 2004; on the public games (*ludi publici*), see Bernstein 1998; on *munera*, see, e.g., Wiedemann 1995; Futrell 2000; Kyle 2001 (with primary focus on the Principate).

processes.¹⁰ In light of considerations such as these, Millar called for a radical reappraisal of republican political culture, arguing that Polybius might have gotten it right after all, and that we may even be able to speak of real democratic or popular forces in the Republic.¹¹

Millar's manifesto was a salutary call to reexamine an old orthodoxy, but it is easy to be misled by these considerations and to overestimate the extent to which the *populus Romanus* participated in political life.¹² Ancient sources, such as Cicero's references to the *turba forensis* and the entire Roman People (*populus Romanus universus*) assembled on the Capitol, can contribute to the misunderstanding.¹³ Such passages raise an important question. What proportion of the entire adult male citizen population could actually have attended *contiones*, voted in elections, or passed legislation? Since republican political culture never developed formal institutions for representative government, the citizen's ability to participate in political processes was tied to his ability to be present in Rome. This was in turn dependent on the spatial proximity of his domicile to the city and its political spaces, or his privileged socioeconomic position, which would have provided leisure time and financial means to travel to the imperial metropole for comitial assemblies.¹⁴ Moreover, anyone who has ever stood in the Roman Forum, even after mentally attempting to eliminate Mussolini's *via dei Fori imperiali* and to imagine the entire complex as the interconnected whole it once was in the late republican, Augustan, and Trajanic periods (of course, much enlarged from the public political venues of the third and second centuries), will immediately understand that only a small fraction of the citizen population could have participated in any single public political event. On this point we only need consider the fact that by the last third of the second century, the urban population in Rome itself may have reached three-quarters of a million (rapidly growing to perhaps one

¹⁰See Polyb. 6.16.4–5, though Polybius' statement that the tribunes were always beholden to act as the People decreed and to attend to their every wish is certainly idealized.

¹¹Millar 1984 bore the dedication *Polybio nostro*; certainly misleading, as Polybius cannot be considered as an ancient proponent of "democratic Rome." Polybius acknowledged the democratic element in Rome's mixed constitution, but for the historian the great virtue of the republican system was the predominance of the aristocracy; see above all Polyb. 6.51.5–8; cf. 6.11.1–2; 23.14.1–2.

¹²See the criticisms of Burckhardt 1990: 89–98.

¹³Cic. *De or.* 1.118; *Dom.* 7.15; cf. Mouritsen 1998: 96 on Cicero's tendentious exaggerations of the number of his political supporters.

¹⁴See Gabba 1976: 74–75; Nicolet 1980 *passim*. For impressions on the plutocratic nature of the political system, see Cic. *Resp.* 2.22.39; Liv. 1.43.10; Dion. Hal. *Rom. Ant.* 4.20.5 (centuriate assembly). Even in the Late Republic, after the municipalization of Italy following the Social War, the *Commentariolum Petitionis* (24, 31, with Morstein-Marx 1998), advises Cicero to rely on the leading men in the *municipia*: they will be his sources of support and a key to winning high office at Rome; but cf. Mouritsen 1998: 96, arguing that the *Commentariolum* may reflect the particular conditions of Cicero's consular campaign in 64, which was not necessarily typical of electoral campaigning.

million by the time of Augustus), not to mention citizens outside the city and throughout Italy.¹⁵

Millar himself maintained that political power was located on the *rostra*, or speaker's platform, but he did so with no emphasis on the relatively small audiences political arenas could accommodate (one need only think of the cramped Campus Martius on the day of C. Gracchus' election to his first tribunate, or the unwieldy electoral assembly on the Capitol on the day of Ti. Gracchus' murder). In a compelling study Henrik Mouritsen, stressing the distinction between the ideologically important, symbolic *populus Romanus* and the "people" as "the sum of individuals making up the citizen-body," argued for a general alienation of the *plebs* from official politics. The former was vital to political discourse and had extensive formal powers, but the vast majority of the latter never took part in politics.¹⁶ And even among those who did, various forms of elite pressure compromised the *comitia*'s decision-making powers. In any event, they were comprised only of the urban populace and those extra-urban, nonelite citizens who infrequently visited the city. This was the situation even after the enfranchisement of *tota Italia* between 90 and 87, resulting from the Social War. Edward Bispham has made the point forcefully:

[A]ll but the elites of most Italian communities would be effectively denied any exercise of political rights at the level of the *res publica populi Romani*. If Rome was progressively being redefined as an Italian state in the course of the first century BC, it still retained the limited institutional machinery of the city-state. The representative character of the *comitia*, already questionable before the Social War, declined still further after it, nor was it possible for Italians to listen at the *contiones*, to voice their feelings at the *ludi*, or to run riot down the Via Sacra; these (among others) were the privileges of the urban *plebs*.¹⁷

In light of these crucially important restrictions on the popular element in political life, few scholars are now likely to contest the idea that the elites shaped popular opinion and most often ensured comitial approvals of magisterial rogations.¹⁸

To use Karl-Joachim Hölkeskamp's concise and lucid formulation, it is a matter of "the relative importance of formal and substantial, symbolic and

¹⁵For the distinction between urban and rustic *plebs*, see Cic. *Leg. Agr.* 2.29.79; MacMullen 1974: 28–56; Tatum 1999: 256n.86. Ti. Gracchus, C. Gracchus, and C. Marius attracted large numbers of *rustici* to the city to vote, but these were extraordinary, not typical, mobilizations.

¹⁶Mouritsen 2001 (quotation from pp. 16–17), with the gentle correctives concerning *contiones* at Morstein-Marx 2004: 11–12. MacMullen 1980 estimated that as few as 2 percent of enfranchised citizens actually cast ballots at elections; see Forsythe 2007: 37n.20, for further references to modern studies on the question. See also Horsfall 2003: 20–30, esp. 26–28, on inevitable reductionism and distortion in any generalized statement about the *populus Romanus* or *plebs Romana*.

¹⁷Bispham 2007: 439, and references to modern works at n.130.

¹⁸See Morstein-Marx 2013; cf. Flaig 2003; Jehne 2014.

practical, political participation.”¹⁹ Concerning the substantial and the practical, there is no reason to think that citizens’ political participation would have been much different from what we have come to expect from electorates in modern democratic nation-states. Those who participate by exercising their right to vote frequently form a minority of those who are eligible to do so, many of whom have to be mobilized in some way by the resources of those with a direct and vested interest in the outcome. *Mutatis mutandis*, we can understand rituals, sacrifices, and religious festivals in symbolic terms encompassing the entire People, but in practical terms similar restrictions would apply to the “People” who actually participated in public religious performances, an important consideration for understanding the degree to which such performative acts could have served as a mechanism for elite domination of nonelites. Taking our cue from Mouritsen’s distinction between a symbolic *populus Romanus* and the masses in the political sphere, therefore, we can ask how significant a proportion of the entire citizen population any instantiation of civic polytheism could have touched. The revisionist interpretation of the People’s role in political processes thus invites reconsideration of the People’s role in religious life—and forces us to articulate just what we mean by the “People.” The “People,” in this sense, could only be nonelites in the city of Rome itself, a fraction of whom could participate in the state religion.

The direct impact, therefore, of any single official, public religious act on the entire *populus Romanus* would have been negligible. Having established that essential point, let us consider the state religion itself as a means for elite domination. The job of the religious authorities, under the direction of the Senate, was to uphold the *pax deorum*; to guard vigilantly the commonwealth’s correct relations with the gods and to carry out necessary measures to create divine favor when things went awry. Structural interrelationships of the priesthoods and the Senate, however, pose serious difficulties for the idea of official religion at Rome as a means for elite political and social control.²⁰ Did the priestly colleges reflect the kind of hierarchical organization and integration we might expect to find in institutions designed to manipulate the masses, and to create, enforce, and maintain political and social order? Here another fundamental question arises. In terms of the various priesthoods and elite religious practices, should we think that they were structured along the stratified lines of political life, as epitomized in the aspiring politician’s rise through the *cursus honorum*? Put more simply, is a hierarchical model the best one for understanding republican religious institutions?

¹⁹Hölkeskamp 2010: 23.

²⁰These interrelationships are conveniently laid out in tabular form for major and minor priesthoods, but not including some minor ones like the priestesses of Ceres, *haruspices*, *pullarii*, etc., by Beard 1990 (Table 1, following pg. 19); cf. Rüpke 2007: 223–28 for a more complete list.

If we are willing to move away from a hierarchical model, in which official religious practices are more or less subsumed under the power of the Senate, further important questions come to the fore. As Cicero remarks (*Dom.* 1.1), the same men held both political power and religious authority at Rome. But does it follow from this that religious innovation, modification, and change directly reflected or even drove new political developments, or rather is it more reasonable to believe that religious institutions and practices evolved somewhat independently of the political fray? In the latter case, we should expect to find discordances between religious and political institutions at particular historical junctures, creating the potential for clashes between religious and political authority. Is there evidence for this in our period? In this connection, we can ask whether division and diffusion of power in the religious and political realms were at all analogous. From the standpoint of the elite, how could publicly airing political struggles in terms of religious definitions, traditions, and prescriptions, which would necessarily imply that religious truth was in some sense contestable and negotiable, have shored up the putatively credulous masses' consent and subservience to religious authority? And from the vantage point of the *populus Romanus*, how would intramural squabbling within and among the priestly colleges and conflicts between religious/political authorities have affected the nonelite citizen body's allegiance to and understanding of the state religion?

If Millar was right in urging us to attend more to popular elements in political life, we may also have to rethink the People's role in public religious enactments (in the restricted sense of the "People" as those nonelites who might happen to be present). Are there grounds for thinking that what the People did in the religious sphere was similar to what they allegedly did (according to Millar and his followers) in the political sphere, or should we suppose that there were profoundly important differences? To what extent did the People *perform* the state religion? From evidence provided by studies of other historical societies, we might expect that the People's role could often have been one of resistance, protest, and dissent, as official ritual occasions in other periods furnished fertile ground for the violent expression of subaltern discontents. Yet there really is nothing in Roman history analogous to the Protestant Reformation—that is, a sustained and transformative religious alternative to established, official religious institutions.

For our period, the sources provide some evidence for nonelite demonstrations in the form of civil unrest, rioting, and street violence, expressed in religious terms. We may consider the so-called Bacchanalian conspiracy of 186 as an example, and we have a notice of elite/nonelite religious conflict in Livy's report of the official suppression of an illegal *adparatus sacrorum*. But these instances do not take us very far.²¹ How are we to interpret the

²¹ Liv. 25.1.6–12, and section 4. On the Bacchanalian conspiracy, see Chapter 4, section 2; on "rituals of resistance," see Bell 1992: 71. Compare the consular actions against Egyptian cults in 58 in the face of popular protest; see Pina Polo 2011: 258–61, for sources and discussion.

sources' silence? Given the frequency of accounts of uprisings of the lower orders in Livy's narrative, for example, we can hardly think that there were such occasions, which our sources for one reason or other chose to suppress and expunge from the historical record. Were urban nonelites cowed by religious fears and the arcane religious expertise of the priests? Alternatively, we could imagine that the stationing of armed guards quelled potential disruptions and ensured the smooth flow of religious proceedings, or perhaps we wish to entertain the idea that on most occasions nonelites were generally apathetic about the formal ritual practices of the religious authorities.

These questions prompt us to push further. To what extent might meaningful nonelite religious practices have been relatively independent of the state religion?²² It is a commonplace to think that one of religion's primary functions is to help individuals cope with the chances and vicissitudes of life, and in a religious system that putatively worked to harness nonelites to the political and socioeconomic domination of elites, we might expect to find elites exploiting the masses by charitable and alimentary projects, working through the religious channels of the priestly colleges. We have already suggested, following Mouritsen's lead, that official public ritual at Rome concerned only a fraction of the *populus Romanus* on any given occasion, but now we can also ask, among those whom it did touch, whether the state religion administered to the physical, psychological, emotional, and spiritual needs of the populace in any sustained way. Or was it the case that the interstices of a fragmented and uncoordinated religious authority guaranteed that republican Rome was in times of personal crises largely a self-help society? Answers to these questions will have profound implications for understanding the populace's engagement with the state religion and the degree of its trust in and subservience to elite religious authority.

If there are clear signs that nonelites were on their own in facing existential crises, and consequently largely went their own way in their private religious practices, how much will-power and what sorts of mechanisms did the elite possess to control and curtail their independence in this regard? Were nonelites more likely in most cases to have entrusted, with only a rudimentary knowledge of the priestly colleges' religious rules and protocols, their collective well-being vis-à-vis the gods and the formal maintenance of the *pax deorum* to the expert functionaries of the priesthoods? This would certainly mean that the religious authorities did indeed wield enormous power, but it does not preclude nonelite agency for independent religious expression, both collectively and individually. Such a reconstruction brings us to the crucial question. How are we then to understand the political significance and social

²²The case of the sixteenth-century Friulian fuller Menocchio in Carlo Ginzburg's famous study, *The Cheese and the Worms*, strikingly makes the point about nonelite independence in religious practice and understanding.

meaning of priests' meticulous attention to the minutest details of ritual prescriptions and sacrificial injunctions, which were probably more often than not beyond the interest or capacity for understanding of nonelites (and elite laymen, for that matter)? This chapter will explore these and other questions regarding elite religious practices in Rome itself.

I. THE REACH OF PRIESTLY AUTHORITY

Addressing the People in informal political mass meetings, or *contiones*, was not for the faint of heart. The crowds the politician confronted could completely fill public political venues, and the "face-to-face" conditions of such closed quarters required steady nerves in meeting a menacing and hostile audience. In these stiflingly confined spaces, the shouting of an angry mob could be deafening. For example, in 67 the tribune L. Roscius Otho, opposing the Gabinian law to give a special command against the pirates to Cn. Pompeius Magnus, could not speak over the roaring din of the masses, which, according to Dio and Plutarch, knocked a crow in flight out of the sky.²³ We can note the hyperbole, but take the basic point. By contrast, the priest conducting public ritual duties would not normally encounter such harrowing circumstances, and his public religious functions were of an entirely different quality. *Contiones* were in effect political mobilizations designed to create a legitimizing fiction of societal consensus. Although religious ceremonies and rituals also created such a legitimizing, fabricated consensus, they were not (with the triumph certainly being an important exception) raucous contests, and in them the voice of the People played a far less significant performative role.²⁴ As we shall see, some ritual performances, such as the mysterious rites of the *Argei* performed in mid-May by the *pontifices* and Vestals, were not public at all.

Priests' power was nonetheless formidable.²⁵ They controlled the religious calendar, prescribing ritual times and obligations for correct worship of the gods. Although Cicero makes a distinction between public and private religion, there was considerable overlap between the two spheres. He states that all who are ignorant of the proper methods and rites of public sacrifice must consult public priests, and on his view even private worship cannot be correctly performed without their assistance. Public priests, therefore, bridged the gap between public and private religion, and, as Cicero elsewhere says,

²³ Dio 36.30.3–4; Plut. *Pomp.* 25.6; Broughton, *MRR* 2.145; cf. Sall. *Iug.* 34.1 for a scene of tumult, obstructive shouting, and threatened violence in reaction to an unpopular tribunician veto. See Brunt 1966; Millar 1998; Morstein-Marx 2004: 119–59.

²⁴ On legitimizing fictions for forging a symbolic societal consensus, see Flaig in Jehne 1995: 77–127, esp. 77–84; Flaig 2003 *passim*.

²⁵ Cf. Smith 2006: 314–15: "The importance of *pontifices*, *flamines*, and other religious officers, especially in being called to the early senate, should not be overlooked. . . . [W]ithout the priests, very little could be done; they were required to declare elections valid, to summon some assemblies, to declare war and so forth."

the pontifical college was the ultimate authority in all religious matters.²⁶ While there is certainly exaggeration in Cicero's statement about the pontifical college's authoritative domain, the *pontifices* did have jurisdiction over citizens concerning various religious matters. Among the *pontifices'* competences at law, for example, were property rights, issues concerning wills, adoptions, legacies, inheritances (including the sacred obligations attached to them), and tomb and burial law. They presided over any marriage involving the transfer of *manus* from the bride's father to her husband. In overseeing adoptions, as in the case of marriages *cum manu*, the *pontifices* ensured that proceedings were conducted in accordance with pontifical law, and that there was no ritual pollution cast on any family cult. Moreover, they served as judges not only in cases involving alleged sexual misconduct on the part of Vestal Virgins, but also in charges of incest involving ordinary citizens, again taking care that pollution at the level of family cult was averted, while ensuring that the *pax deorum* was upheld. Finally, there is evidence that pontiffs advised individual citizens on other various and sundry matters.²⁷

Priestly authority in the private religious sphere was therefore considerable, but questions arise about its depth and pervasiveness. From a panoramic perspective of the *populus Romanus* in Mouritsen's sense as "the sum of individuals making up the citizen-body," the tumultuous scene of the orator addressing the populace in crowded mass meetings seems like a tempest in a teapot. The actual number of adult male citizens at any time during the third and second centuries can only be approximated within a large margin for error, as any estimate must be based on Livy's census statistics, which must be used with extreme caution. We need not pursue the vexed questions of republican demography.²⁸ It will be sufficient for our purposes to posit conservatively an adult male citizen population of at least 200,000, and sometimes considerably more, throughout our period. At any given time between *ca.* 220 and *ca.* 110, let us say, there would also have been tens of thousands of citizen soldiers serving in the military far from Rome. For example, Polybius reports that in 225 there were two reserve legions consisting of 8,800 Roman soldiers stationed at Tarentum and in Sicily.²⁹ In addition, we have to take account of citizens who joined Roman or Latin colonies, or who had received *virittane*, or individual, allotments from land commissions, perhaps on the initiative of an individual commander.³⁰ In their case,

²⁶Cic. *Leg.* 2.8.20, 12.30; *Har. Resp.* 7.14. For limitations of the public/private dichotomy, see Scheid 2005: 125–28.

²⁷Liv. 1.20.6–7; Pomponius, *Dig.* 1.2.2.6; Beard 1990: 37–38; BNP 1.24–26; Smith 2006: 261–62; Wildfang 2006: 57.

²⁸See collected essays in De Ligt and Northwood 2008; cf. De Ligt 2012.

²⁹Polyb. 2.24.13–14, with Walbank, *Comm.* 1.196–203.

³⁰See Tables VI and VII at Brunt, *IM* 70, 72; on the allotments of public land, see Gargola 1995 *passim*.

we are dealing with citizens permanently removed from the imperial capital and the ritual performances of the state religion. A startling example of the phenomenon occurred in 123, when the consul Q. Caecilius Metellus formed two new settlements on Mallorca, named Palma and Pollentia, populated by 3,000 Romans who had been living in Spain.³¹

These reflections underscore Mouritsen's distinction between the symbolic, rhetorical, and ideological *populus Romanus* and the actual total citizen population, which potentially, but never actually, played a role in politics, and they have important consequences for understanding what happened in elite/nonelite interactions in public spaces of Rome—and especially in official ritual enactments of civic polytheism. As Robert Morstein-Marx has put it in discussing the *contio*, “The importance of the shout of the crowd . . . rested precisely on its potential to be interpreted as a concrete demonstration of the Will of the People in a system in which that concept deeply mattered . . . the meaning of the crowd's response and the relationship of its responses to the *real* People's *real* will . . . were generally open to contestation. The *contio* is best seen as political theater, that is, a dramatic staging of political argument, characterized by highly developed methods of audience creation and response solicitation that activated a kind of ventriloquism.”³² Morstein-Marx's observations on the *contio* apply equally well to public performances of the state religion. Although we are not as well-informed about it, the staging of public ritual performances also created its audiences and fictive consensuses, in this case with the relatively unvoiced approval of the bystanders. Like the *contio*, the assembly present at any given public religious spectacle comprised only a small fraction of the actual *populus Romanus*. To whatever degree public enactments of the state religion may have functioned as a means for ensuring elites' political and social control, their reach did not extend beyond those who attended them in the city of Rome itself. But even concerning this circumscribed group, there were qualitative limitations on the exercise of priestly authority.

For an example, in the year 213, in the devastating wake of the disaster at Cannae, there was an atmosphere of religious crisis in Rome. Senators received reports of neglect of ritual, and the plebeian aediles brought forth charges of immorality against some matrons, some of whom suffered exile as a result. M. Aemilius Lepidus, the peregrine praetor, was entrusted with confiscating written prophecies, prayers, and rituals, and prohibiting strange and foreign rites from being performed in consecrated, public places.³³ But the

³¹ Strabo 3.5.1 (C 167); cf. Plin. *HN* 3.77 (*oppida . . . civium Romanorum*). The settlements followed Metellus' conquest of the Balearic islands in 123, on which see Morgan 1969; and Broughton, *MRR* 1.512–13 for sources.

³² Morstein-Marx 2004: 158.

³³ Liv. 25.1.6–12, 2.9–10. The manuscripts of Livy have the urban praetor, M. Atilius, assigned the task of confiscation and prohibition, but this was more likely the job of the peregrine praetor; see Broughton, *MRR* 1.266n.2; cf. Brennan 2000: 323n.8.

limitations of the actual power of the authorities to control religious practices of the populace are revealed in the great difficulty they had in attempting to clear the Forum of worshippers and destroying the illicit *adparatus sacrorum*.³⁴ *Triumviri* were created to recover sacred objects and register gifts, and another three-man commission was established in order to rebuild the destroyed temples of Fortuna, Mater Matuta, and Spes. Amidst portents, a day for prayer and nine days of religious observance were proclaimed, and the consuls themselves carried out various religious duties.³⁵ In the following year, the consuls were detained in Rome until 26 April by the Latin Festival, the city was stirring with the prophecies of a certain seer named Marcius, and the Senate ordered a consultation of the Sibylline Books.³⁶ The picture is one of chaos and confusion, with the religious authorities scrambling to restore calm and some sense of public order.

This example comes from the most harrowing period of the Hannibalic War and therefore cannot be regarded as typical, but the authorities' inability to control unofficial religious practices in any sustained way is underscored in a time of relative peace and tranquility in the so-called Bacchanalian affair of 186. The establishment pursued the worshippers of Bacchus in the years immediately following the initial witch hunt. In 184 the propraetor L. Postumius Tempsanus punished conspiracies among slaves near Tarentum and completed his inquiry into the Bacchanals.³⁷ Some further policing took place in 182 and in 181 in Apulia.³⁸ Little is known about the Bacchanals in the years after 180, but a Bacchic shrine near Pompeii survived, and there were undoubtedly numerous others. The repression was therefore sporadic and short-lived, and it had little long-term effect. Bacchus was well-known in late republican times and flourished on into the Principate of Augustus.³⁹ Indeed, Dionysian themes predominate on the relief sculpture of some senatorial sarcophagi, ranging from the late first through the early third centuries C.E.; and in the reign of Septimius Severus, Q. Aiadius Modestus Crescentianus, *legatus pro praetore* in Arabia, set up a *pro salute* inscription headed by a dedication to Liber Pater.⁴⁰ In another context in chapter 4, we shall have the opportunity to explore the Bacchanalian crisis at greater length. For now we restrict ourselves to the lessons the event teaches about the extent of elite priestly authority. The vicious persecution in 186 was unprecedented in republican history (its only analogue is the persecution of the early Christians

³⁴Liv. 25.1.6–12, with Nippel 1984: 20–21; Nippel 1995: 22.

³⁵Liv. 25.7.5–9; see Pina Polo 2011: 21–57 for the consuls' religious functions.

³⁶Liv. 25.12.1–15.

³⁷Liv. 39.41.6–7; cf. 39.29.8–9; for Postumius Tempsanus' propraetorship, see Broughton, *MRR* 1.376; Brennan 2000: 204–205.

³⁸Liv. 40.19.9–10 (L. Duronius).

³⁹See Gruen 1990a: 34–78, esp. 75–76.

⁴⁰For the sarcophagi, see Várhelyi 2010: 183; for the dedication to Liber Pater, see *AE* 1968, 519.

beginning in the reign of Nero). Although we usually regard the state action taken in 186 as an incomprehensibly brutal and unwarranted repression of religious worship (which it undoubtedly was), the important point for our purposes is that the Senate apparently had neither the will nor the means to curb the cult on an ongoing basis.

Yet we hear about sporadic attempts on the part of the authorities during the Middle Republic to enforce participation in public enactments of civic polytheism. For example, in dire times many were expected to take part in supplications.⁴¹ *Feriae* might be proclaimed not only at Rome, but even among neighboring peoples and throughout Italy.⁴² The *supplicatio* of 218 applied to everyone (*universo populo circa omnia pulvinaria indicta*).⁴³ In 193, a three-day supplication was imposed upon all citizens: they must worship at all the shrines, and every family member must participate.⁴⁴ But we should view such intermittent state actions as primarily symbolic in nature, since the authorities could not monitor the religious practices of nonelite urban citizens and foreign residents in the capital in any sustained manner, while the substantial number of citizens outside of the city were even more elusive for them.⁴⁵

II. STRUCTURAL INTERRELATIONSHIPS OF PRIESTHOODS AND SENATE

As Cicero explicitly states, we cannot easily separate republican political and religious authority, since the same men were usually senators and priests.⁴⁶ There is a further consideration, however, concerning religious institutions in the Middle Republic: it is extremely difficult to locate the center of religious authority in any institutional, structural sense, or to discover any smooth interconnections between religious and political institutions resulting in a unified religious/political power base. And since there was no real locus of centralized religious power, there was little possibility for religious authority to challenge seriously the political primacy of the Senate (though, as we shall see, among senators/priests there were struggles to appropriate religious legitimacy for their actions).

We must think that this state of affairs was largely the result of the fact that the priesthoods arose and sacred spaces were established as responses to particular historical circumstances. As Livy has the tribune C. Canuleius ask during the political and social struggles of the mid-fifth century, "Who

⁴¹ Liv. 31.8.1–2; 31.9.5–6.

⁴² Liv. 7.28.8–9; 40.19.5–6, with Morgan 1990: 32–33.

⁴³ Liv. 21.62.9.

⁴⁴ Liv. 34.55.1–4.

⁴⁵ For the authorities' limited policing and surveillance capabilities, see Nippel 1995.

⁴⁶ Cic. *Dom.* 1.1.

can question that in a city founded for eternity and of incalculable growth, new powers, new priesthoods and rights of families and individuals, must be established?"⁴⁷ As Rome's geopolitical position—first in Italy and subsequently throughout the Mediterranean basin and Near East—was transformed on the road to imperial domination, religious institutions grew spasmodically and congealed into a chaotic and disjointed repository of specialized religious expertise; hardly a seamless, hierarchical institution for the establishment and maintenance of a coordinated religious authority. Roman authors frequently wrote about and reported their predecessors' concerns with maintaining ancestral religious practices, but it is clear that from the city's beginnings religion was undergoing expansion, innovation, and adaptation. All the major colleges of priests, after all, with the exception of the *septemviri epulones* (introduced in 196), were established in the prerepublican period and would have had to adapt in some measure to the new political system that arose after the expulsion of the monarchy.⁴⁸

This brings us once again to the interconnectedness of politics and religion and the embedded nature of religion in the political system. Republican religious institutions present a random and chaotic aspect, undoubtedly due in part to their own independent (and largely unrecoverable) origins and development.⁴⁹ The Senate provided whatever unity the religious system did have, since it was the executive coordinator in questions of the state religion, with the priests serving in a consulting and advisory capacity.⁵⁰ Georg Wissowa saw the priests as having limited independent powers, arguing that they were not divine intermediaries between gods and men. Mary Beard, taking up and furthering Wissowa's idea, has discussed the primacy of the Senate in religious matters (at the expense of the priests' independent powers), by focusing on the question of *mediation*, which she defines as "an institutional function and one which defines, delimits and controls human approaches to the divine and the communication of gods to men"; and further, as "an *active* force, involving direct contact with the sphere of the gods." The Senate

⁴⁷ Liv. 4.4.4–5 (C. Canuleius).

⁴⁸ According to tradition the ancient priests of the Lupercalia were established before the monarchy by Evander (Plut. *Rom.* 21.3–8); the augurs (Liv. 1.18.6), Arval Brethren (Gell. *NA* 7.7.5–8), and the cult of Hercules Invictus (Liv. 1.7.12–15) were in place before the major religious foundations of King Numa. According to Dion. Hal. *Rom. Ant.* 2.22.3, Romulus instituted that one *haruspex* from each *tribus* should be present at all sacrifices. For the career paths of nobles and their cooptation into the three major priesthoods, see Hahm 1963. On the disjointed nature of the various priesthoods, see Rüpke 2011b. In this section I am indebted to the discussion in Beard 1990.

⁴⁹ Latte, *RR* 195–97, was therefore correct to point out that some of the diversity found among the priesthoods must be attributed to their chronological ordering, but he was too ambitious in trying to find the specifics of this ordering in the absence of evidence for it; cf. Linderski 1986: 2244: "It is a sound methodological principle never to begin at the beginning, for in history the beginning is more often than not a product of ancient or modern fantasy."

⁵⁰ Cf. Gallini 1970: 66–67, on the Senate: "together a political and religious organ" (*organo politico e religioso insieme*).

controlled mediation in this sense. Its ultimate authority in religious matters is most obvious in its acceptance or rejection of new state cults, its power of official recognition of prodigies, and—after consulting the religious experts—its pronouncement of the necessary expiations, as well as its control of special religious problems, such as the perceived threat and suppression of the Bacchic cult in 186, and investigating allegations of sacrileges committed by generals on campaign.⁵¹

In this sense the priests *were* extensions of the Senate's authority, but problems remain as to how the priesthoods were organized and employed as religious extensions of senatorial power, and, more important, whether this approach is the best way to understand the various priesthoods and their interrelationships, among themselves and in regards to the Senate, magistrates, and People. According to C. Aurelius Cotta, pontiff and consul, religion was divided into three areas of competence: auspices, interpretations of portents and prodigies, and sacred ritual (*sacra*).⁵² Let us begin with the augurate, since it provides a partial exception to Beard's generally valid point about senatorial mediation of religion. The augural college was originally the exclusive preserve of the patrician order, until five plebeians were admitted in the aftermath of the Ogulnian law of 300, by which time the augurs' number rose to nine.⁵³ Augurs did mediate between gods and men, having exclusive power to demarcate a piece of land as a consecrated *templum* and to place it in a special relationship with the divine. All of the Senate's sessions took place in a *templum* covered by a roof, such as the temples of Fides, Concord, and Castor near the Forum, the temples of Apollo and Bellona in the Campus Martius, or the Temple of Jupiter Optimus Maximus on the Capitoline hill, where the first session of each year was held, and religious matters always preceded all other business.⁵⁴ Legislative and electoral assemblies, as well as senatorial deliberations, were all subject to augural law, taking place in inaugurated spaces and bounded by the *pomerium*, the sacred demarcation of the city from what lay beyond.⁵⁵ A striking indication of the seriousness of the augurs' business is their demand that buildings be

⁵¹ Wissowa, *RK*² 479–80; Beard 1990: 30. Cic. *Fam.* 10.12.3 (Rome, 11 April 43) provides a singular exception to this rule from the time of the turbulent aftermath of Caesar's assassination.

⁵² Cic. *NatD.* 3.2.5; cf. Cic. *Leg.* 2.20, 2.30–31; *Har. Resp.* 9.18; Varro *ap.* August. *CD* 6.3.

⁵³ Liv. 10.6.1–9.2 (*lex Ogulnia*); cf. Forsythe 2005: 135–43.

⁵⁴ See, e.g., Liv. 26.1.1–2 (first session of 211; cf. Varro *ap.* Gell. *NA* 14.7.7; Liv. 26.30.11, 31.11, 33.4 (*curia as templum*)); Cic. *Div.* 1.2.3; Varro *ap.* Gell. *NA* 14.7.9 (no public business undertaken without first taking auspices); Cic. *NatD.* 2.8–9 (Q. Lucilius Balbus); Festus 284 Lindsay; Varro, *Ling.* 7.10; Serv. *ad Aen.* 7.153 and 174. For the meeting places of the Senate, see Mommsen, *Str.* 3:926–27; Bonnefond-Coudry 1989: 31–160. These practices continued in Senate meetings during the Principate; see Talbert 1984: 386–91, 518–19; Várhelyi 2010: 47–48.

⁵⁵ Magistrates watched for divine signs in *templa*, on which see Varro, *Ling.* 7.8–10. On the relation of the city (*urbs*) and its boundary (*pomerium*) in augural science, see Linderski 1986: 2156–57n.31; Catalano 1978: 479–82; Rüpke 1990: 30–41.

demolished when they obstructed the *prospectus* from the earthly *templum* to the heavenly one.⁵⁶

Augurs were masters of a range of technical ritual practices—"the taking of auspices"—to ascertain the gods' will. These techniques included the observation of the flight and activities of certain bird species, the interpretation of lightning and thunder, and the behaviors of animals.⁵⁷ Augurs interpreted signs according to duly prescribed conditions formally requested from the gods (*auspicia impetrativa*), as well as spontaneous manifestations of the divine will (*auspicia oblativa*). They did not, however, monopolize auspication. City magistrates took the auspices, with the augurs defining heavenly rectangles, having earthly equivalents, with set points.⁵⁸ The spatial relationship of the divine sign to these points helped to determine its meaning. As experts in defining and delimiting these religious spatial boundaries and appointing the place and direction from which to receive communications from the gods, the augurs witnessed and gave advice on auspicial ritual performances, and they determined the validity of the proceedings. While magistrates and other priests had the right to auspicate publicly, they did so only within their own spheres of competence.⁵⁹ Magistrates were at liberty to disregard augural prescriptions, but if they paid no heed to ominous signs from the gods, the Senate could annul the consequences of their actions.

The *auspicia* themselves determined the formal temporal and spatial requirements for valid reception of divine signs. The *auguria*, on the other hand, solely within the power of the augurs, determined the permanent status of the object of the ceremony. Herein lay the great power of the augural college.⁶⁰ Moreover, augurs—who were typically senators as well—had the power to interrupt meetings of popular political assemblies by declaring ill omens, indications that an assembly was not in accordance with the gods' will.⁶¹ It is no surprise that Cicero, himself a member of the augural college, stated that the augurs possessed the greatest power in Rome, and Livy tells us that nothing could be done at home or abroad without the taking

⁵⁶Cic. *Off.* 3.16.66; cf. Liv. 1.18.6; Val. Max. 8.2.1. Varro, *Ling.* 7.6 speaks of *templa* above, on, and below the earth. Cicero remarks (*Div.* 1.1.2) that the Assyrians were excellent diviners because they inhabited open plains that afforded them unobstructed views of the heavens; cf. Cic. *Div.* 1.42.93 (Egyptians and Babylonians).

⁵⁷See Festus 316, 317 Lindsay (*quinque genera signorum*), with Linderski 1986: 2234n.348.

⁵⁸Varro, *Ling.* 7.7, with Catalano 1978 *passim*. For augural assistants, see Cic. *Leg.* 3.19.43; Dion. Hal. *Rom. Ant.* 3.70.5 (Attus Navius assisting public augurs); for consular commentaries, which included rules on auspicial procedures, see Varro, *Ling.* 6.88.

⁵⁹For the hierarchical order of magistracies and their auspicial competences, see Gell. *NA* 13.15.1–7; cf. Cic. *NatD.* 2.4.11; *Div.* 1.17.33; Varro, *Ling.* 6.90–91, with Gargola 1995: 19–24.

⁶⁰See Linderski 1986: 2196 n.180, 2217–18; 2294–96 on *auguria*; cf. Smith 2006: 263–68.

⁶¹Cic. *Leg.* 2.12.31; 3.27; *Phil.* 2.32.80–33.84, with Beard 1990: 39–40; Mommsen, *Str.* 1:109–110. According to Livy (1.18.6–10), Numa was ratified as king by the first public augur; the augurate rose to supreme authority in the state following the miracle of the augur Attus Navius, the razor, and the whetstone under King Tarquinius Priscus (Liv. 1.36.2–7; cf. Cic. *Div.* 1.17.32–33), discussed in Section 3.

of auspices.⁶² Although the augurs' powers were therefore considerable, as a body they apparently had no formal hierarchical order, their range of expertise was strictly defined, they had no powers over and apparently little or no formal communications with the other priesthoods, and they were ultimately subservient to the collective will of the Senate.⁶³

The pontifical college at first glance seems to present a more hierarchical organization than the augurate. In its case, at least, there was a nominal head, the Pontifex Maximus, originally selected by the king or by the pontiffs themselves. As in the augurate, patricians originally monopolized tenure of the priesthoods in the college, but by the year 300 it included five plebeian members and consisted of nine priests. In addition, the pontifical college included the *flamines* of Jupiter, Mars, and Quirinus, the Vestal Virgins, and the *rex sacrorum*. The range of duties of the *pontifices* again suggests the piecemeal fashion in which republican religious institutions developed. One of their most important functions was the regulation of public time. They were authorities on keeping the calendar in order, including marking festival time, designating days on which it was permitted to hold Senate meetings and comitial assemblies, and inserting intercalary months in order to balance the lunar and solar years.⁶⁴ The *pontifices* were also experts on human and divine law. They alone knew the *formulae* necessary for any legal action to take place, at least until the end of the fourth century, when the precise wording of such *formulae* was in some sense made public.⁶⁵ Their expertise in law included public games and sacrifices, vows made by generals in the field of military operations, rituals associated with Vesta and the Vestal Virgins, and the recording of significant events. Masters of the elaborate celebrations of public cults, the *pontifices* were above all specialists in the performance of ritual sacrifice.⁶⁶

The Pontifex Maximus was the high priest of the state religion, but the nature and extent of his executive and disciplinary powers over pontifical colleagues are murky. He clearly was the overseer of the priestesses of Vesta and their cult, taking part in some of their ritual practices and performing the

⁶²Cic. *Leg.* 2.12.31; cf. *Leg.* 2.8.21 (in the ideal state whoever disobeys the augurs should be put to death); Liv. 1.36.6; cf. 6.41.4.

⁶³At least as far as the collective body (*collegium*) goes; see Liv. 4.31.4; 8.23.14; 23.31.13; 45.12.10; Cic. *Phil.* 2.83. Individual augurs, especially in exercising the power of *obnuntiatio*, acted (at least formally) more independently of the Senate; see Linderski 1986: 2151–52 (citing Cic. *Leg.* 2.31), 2190–2225.

⁶⁴Michels 1967 remains of fundamental importance for the calendar; see more recently Feeney 2008; Rüpke 2011a; Santangelo 2011: 178–83; references to earlier literature are assembled by BNP 1.25n.67; on the importance of calendars in cognitive systems generally, see Bourdieu 1977: 96–109.

⁶⁵For the “publication” of the *legis actiones* and *dies fasti* by the scribe Cn. Flavius in 304, see Liv. 9.46.1–6; Macrobi. *Sat.* 1.15.9–13; Pomponius, *Dig.* 1.2.2.7, with Michels 1967: 108–118; Cornell 1995: 374–75; Forsythe 2005: 318–21.

⁶⁶Cic. *Har. Resp.* 9.18, with Santangelo 2011. For sacrifice generally in Roman religion, see Scheid 2005.

ceremony for each new inductee in a ritual pronouncement cast in archaic language. He also had disciplinary powers over the Vestals, exercising corporal punishment for derelictions of duty and presiding over trials conducted by the college whenever a priestess was accused of unchastity. This control of the Vestals was of crucial religious importance, since in Vesta's temple at the southeastern end of the Forum the priestesses tended the sacred hearth-fire and Palladium, upon which it was believed the safety and continuation of Rome itself depended.⁶⁷ Livy relates that during the Gauls' sacking of Rome in the early fourth century the sacred objects were removed to safety as the city's lifeline to the future, and at this time the plebeian hero L. Albinus (or Albanus) saved the Vestals from the Gauls. The *sacra* were again heroically rescued from flames in the last year of the First Punic War.⁶⁸ The importance of the Pontifex Maximus' supervisory role over the Vestal Virgins can therefore hardly be exaggerated, but for him this jurisdiction was an atypical, specialized religious function. He generally acted as a member of his college, and at the behest of the Senate. His powers certainly can in no way be viewed as constituting the directing executive and administrative head of a united religious organization.

Other members of the pontifical college had specialized functions, and they create further difficulties for regarding the priesthoods as anything remotely resembling a unified, monolithic religious authority. The *rex sacrorum* ("king of rites"), unlike other priests, was entirely divorced from formal political processes, and until the end of the Republic and beyond he had to be of the patrician order.⁶⁹ The priesthood's early history is shrouded in obscurity for modern scholars, as it was for ancient writers. Whether the monarch had exercised this priest's religious powers or the *rex sacrorum* worked alongside the king, it is certain that the *rex* in republican times was in some sense a continuation from the monarchy and that his were duties that only a "king" could perform. Beyond this most scholars opt for one of two possible reconstructions: either the *rex* was a relatively unimportant office from the beginning of the Republic, by which time the Pontifex Maximus had already emerged as high priest, or the Pontifex Maximus assumed the religious competences of the *rex* over time (although, as we have seen, in historical times

⁶⁷Dion. Hal. *Rom. Ant.* 2.66.1–69.3; Cic. *Font.* 21.46–48; Hor. *Od.* 3.30.6–9, with further references assembled by Wildfang 2006: 7n.12; BNP 1.51–54, with references to modern scholarship at 55n.174, to which add Staples 1998: 103–106, 129–56. See Liv. 28.11.6–7, for the Pontifex Maximus, P. Licinius Crassus Dives, ordering that a Vestal who had allowed the sacred fire to go out in the temple of Vesta be flogged to death.

⁶⁸Liv. 5.39.11, 40.7–10, 42.1–2; cf. Plut. *Camil.* 21.1, 22.6; for Albinus, see Liv. 5.40.7–10; Val. Max. 1.1.10; Plut. *Camil.* 21.1–2; Florus 1.13.12; the *elogium* in Agrippa's Pantheon adds that Albinus later brought the Vestals home from exile at Caere (*CIL* vi.1272, with Cozza 1983: 117). For the rescue at the end of the First Punic War, see Liv. *Per.* 19; Dion. Hal. *Rom. Ant.* 2.66.4; Val. Max. 1.4.5; Plin. *HN* 7.141; Oros. 4.11.9.

⁶⁹Dion. Hal. *Rom. Ant.* 4.74.4; cf. Liv. 2.2.1; 40.42.8.

the Pontifex Maximus' specialized religious powers were apparently not all that extensive).⁷⁰ What is important for this discussion, however, is also beyond question: the anomaly of the *rex sacrificulus* in the politico-religious system (the degree of formal separation of politics and religion), and the fact that in republican times the office was an insignificant, tralatitious religious artifact.

The *flamen Dialis* (priest of Jupiter) had to be a patrician who married and whose parents were married by the ancient nuptial ceremony of *confarreatio*. He was selected by the Pontifex Maximus and held his priesthood for life.⁷¹ While he was not formally debarred from political functions, as was the *rex sacrorum*, there were a number of taboos attached to the priesthood that severely restricted what the *flamen* could do in the political and military spheres. He could not ride on a horse; he could not see the army assembled outside of the *pomerium*; he could not take an oath; he could not wear a ring (unless it be perforated and gemless); he could not touch, or even name, a she-goat, raw flesh, ivy, or beans; he could not sleep away from his own bed for three successive nights (a partial list of the restrictions on the office).⁷² It hardly needs to be noted that it is difficult to see how such restrictions could have served to further elite political and socioeconomic control of nonelites.⁷³

Livy provides further illustration of the fragmentation of religious competences in the case of the *flamen Dialis*. He states that Numa created the major *flamines*, but that the king himself performed many priestly operations that in the historian's day were the business of the *flamen*.⁷⁴ If we can put any trust in Livy's statement, the implication is that, since the king's priestly functions were either shared with the *rex sacrorum* (if he existed in the regal period) or his own exclusive right, with the foundation of the Republic the *rex sacrorum* and the *flamen Dialis* shared "kingly" religious duties. The *flamen Dialis*, then, demands our attention, since once again in his office we find priestly impediments to participation in the political sphere. This priesthood again reveals an uncoordinated division of religious powers in the republican system.

⁷⁰The *rex sacrorum* is listed first among the *pontifices* by Festus 299 Lindsay, perhaps a reflection of his former importance; he later had pride of place at table (Gell. NA 10.15.21–22). See BNP 1.55–59, and literature cited there; Smith 2006: 260–61. By republican times he was responsible for the obscure Agonalia and Regifugium festivals; see Scullard 1981: 60–61, 91–92, 122, 203.

⁷¹The *flamen Dialis* was required to abdicate his priesthood upon the death of his wife (Gell. NA 10.15.22; Plut. Mor. 276d–f). For his role in the *confarreatio* ceremony, see Marco Simón 1996: 171–74.

⁷²See Gell. NA 10.15.1–32; cf. Plut. Mor. 274a–b, 275c–d, 289e–291c; Liv. 26.23.8 (*flamen Dialis* abdicates office after mishandling entrails of sacrificial victim); cf. Marco Simón 1996: 87–134; Smith 2006: 262n.35.

⁷³Equally baffling from this perspective is the requirement that augurs who had bodily sores or ulcers could not auspicate (Plut. Mor. 281c; cf. 383b), or the fact that augurs and the Arval Brethren retained their priesthoods for life, even after being condemned and exiled (Plut. Mor. 287d; Plin. Ep. 4.8.1–2; Plin. HN 18.2.6).

⁷⁴Liv. 1.20.2.

The augurs were divinatory experts, but there were kinds of divine communication that lay beyond their competence. Portents and prodigies, which necessitated the exercise of both religious and state authority, were freakish signs indicating loss of the gods' favor—the appearance of a hermaphrodite, astronomical or meteorological irregularities, deformed births, or aberrant animal behavior.⁷⁵ These matters often would fall to the special board of ten priests, the Decemvirs. This board consisted of five patricians and five plebeians, but its composition is not as well-attested as that of the augurs and pontiffs. Cicero says that they were experts at interpreting and predicting outcomes from divine signs in the form of portents and prodigies.⁷⁶ In cases of such preternatural omens, normally the matter would first be brought to the attention of one of the consuls, who in turn would refer it to the Senate, which would confirm it as a public concern (*publica prodigia*), demanding expiation. In grave cases, the interpretation would be entrusted to the college of the Decemvirs (*Xviri sacris faciundis*; later expanded to fifteen members), in charge of the oracular Sibylline Books (*Sibyllini libri, libri fatales*).⁷⁷ In less serious cases, the matter might be handed over to Etruscan diviners, or *haruspices*.⁷⁸ So once again we find the division of religious authority, in this case shared with specialists outside of the ruling senatorial aristocracy. These experts—whether Decemvirs or *haruspices*—presented their findings to the Senate, which ordered the magistrates, the priests themselves, or the People to carry out the prescribed means of expiation. The crucial points here are that religious expertise in the case of portents and prodigies was fragmented through the *pontifices*, the Decemvirs, and Etruscan *haruspices*; and that, as in the case of the augurs and pontiffs, the Senate generally directed and coordinated the priests' operations.⁷⁹

⁷⁵Cic. *Har. Resp.* provides our fullest account of a priestly response to a *prodigium*; see conveniently the composite text at BNP 2.175–76. See Sall. *Cat.* 30.2, for the collocation *portenta atque prodigia*; Engels 2007: 264–68, 272–75, for slight distinctions in meaning between the terms. For a list of prodigies to 38, see Clark 2007: 287–90; on prodigies and portents generally, see MacBain 1982 (official prodigies as means of political communication with Italian states); Rawson 1991: 1–15 (skeptical about the source tradition, esp. the *Annales Maximi*); Rosenberger 1998 (anthropological approach to prodigies as violations of divine order); Engels 2007 (exhaustive sources and commentary); Rasmussen 2003 (sociological approach with “religio-political” emphasis; with useful tables at 53–116); Santangelo 2011, esp. 171–73 (questioning the role of *pontifices* in expiation of prodigies); Satterfield 2015 (challenging some old scholarly orthodoxies).

⁷⁶Cic. *NatD.* 3.2.5, *praedictionis causa ex portentis et monstis*.

⁷⁷These were two books of oracles and expiatory prescriptions housed, until the time of the Italian Social (or Marsic) War, in the basement of the temple of Jupiter Capitolinus; see Linderski 1995: 500–501, and literature cited there, and assembled references at Gruen 2011: 337n.150. Their verses were written as acrostics, so that the initial letters of the lines yielded the subject matter of that *carmen* (Cic. *Div.* 2.54.112). For the board of ten (later fifteen) officials in charge of the Sibylline books, see Latte, *RR* 246–48; Radke 1963; and further references assembled by North 1989: 588n.44. For the books themselves, see BNP 1.62n.192.

⁷⁸North 1989: 583n.24 assembles references on *haruspices*; cf. Gruen 2011: 347n.208.

⁷⁹Cf. Cic. *Leg.* 2.12.29, who states that in the ideal Republic there should be a number of priests for the worship of all the gods, and a particular priest for each and every deity.

The foregoing reflections on these three major priesthoods—*augures*, *pontifices*, and (*quin*)*decemviri*—highlight the disconnected and splintered nature of religious authority and expertise. As a result, it may be misleading to speak of a republican “religious system” or the “state religion” at all, since Roman writers themselves differed on what the major priesthoods even were.⁸⁰ As a further example of the disjointed compartmentalization of ritual practices that we call Roman religion, let us consider an obscure and relatively unimportant priesthood. Livy offers an aetiological tale for the cult of Hercules Invictus at the Ara Maxima in the Forum Boarium. According to him, Romulus’ first act as king was to fortify the Palatine hill. He made sacrifice to the other gods according to the ritual prescriptions of Alba Longa, but to Hercules according to Greek rites. This leads to a discussion of the beginnings of ritual sacrifice in Hercules’ honor, taking us back to the myth of Cacus, the theft of Hercules’ cattle, and Hercules’ dispatch of Cacus after having nearly been duped by him. As the shepherds who gathered together at the time of the ruckus were accusing Hercules of Cacus’ murder, the Arcadian hero Evander, exiled from the Peloponnesus, turned the tables and hailed Hercules as the son of Jupiter and relayed how his mother, the nymph Carmenta, had foretold Hercules’ apotheosis and prescribed that his altar should be established on the spot.⁸¹

This story is interesting in itself for our theme, since according to it Roman religion already admitted foreign (Greek) elements from the very beginning,⁸² but what follows is more important. The administration of the sacrificial ritual and feast were entrusted to powerful clans living in the area, the Potitii and Pinarii. The Potitii, according to Livy, arrived at the appointed time and therefore were served the entrails, while the Pinarii came late and partook of the remainder of the banquet. As long as the latter family survived, the custom arose that its members should not taste the entrails at that sacrifice. The Potitii apparently outlasted the rival family, and they provided the priests of the cult of Hercules Invictus at the Ara Maxima, the first of whom were instructed by Evander himself.⁸³ After having handed over the

⁸⁰ Consequently, throughout this study I use such phrases advisedly, and as a matter of convention. See Beard 1990: 44 and n.70. The Greek observer Polybius believed that the Salian priests were one of the three major priestly colleges, which he apparently discussed in a lost section of Book Six (Polyb. 2.1.13.10–12).

⁸¹ See Staples 1998: 17–24 (emphasizing the accounts in Vergil and Ovid); cf. Forsythe 2005: 119–21.

⁸² Cf. Dion. Hal. *Rom. Ant.* 1.31–32 for annual public sacrifices to Evander and Carmenta, practiced in Livy’s time on the Aventine and Capitoline hills, respectively; see also Gruen 2011: 246–47 on Evander. The importation of “foreign” elements into Roman religion is taken up in chapter 4, section 2.

⁸³ On the antiquity of the Pinarian gens, see Cic. *Div.* 2.21.47; several Pinarii are attested in later times, including a prefect to Henna during the Second Punic War (Broughton, *MRR* 1.265), a praetor to Sardinia in 181 (Broughton, *MRR* 1.384; Brennan 2000: 147), and a *pontifex* in the early 50s (Rüpke 2008: 125–26, 840 (no. 2711)), who supervised P. Clodius Pulcher’s consecration of Cicero’s *domus* as an *aedes Libertatis* (Cic. *Dom.* 45.118–19; 52.134–35, with Tatum 1999: 190–91).

ritual performance to public slaves, the Potitii too died out. Livy later fills in more of the story. In 312, the notoriously obstinate censor, Ap. Claudius Caecus, was instrumental in the transference of the rites of Hercules at the Ara Maxima from the Potitian clan to public slaves. Soon thereafter the twelve families of the clan, with some thirty adult males, suddenly perished. A few years after that, Appius Claudius was himself struck blind, clear indications of the gods' displeasure.⁸⁴

Livy's report is an antiquarian reconstruction in the Augustan age of a hoary religious practice, but it is noteworthy as an example of a highly educated, celebrated author of the later first century acknowledging non-native religious elements present from the outset, the tension between private (clan-based) and public religion, and the haphazard nature of the origins of Rome's religious institutions.⁸⁵ It is also important to note that this cult completely overturned political and social hierarchies, in so far as it was in republican times in the charge of public slaves. Another vestige of powerful clans' control of early religion—and the resultant incoherent nature of developed religious institutions at Rome—concerns the archaic festival of the Lupercalia (February 15). The priests of the Luperci were comprised of two different bands: the Fabiani and the Quinctiales. The names of these bands show that they probably evolved from private, family religion, and they indicate a religious monopoly by members of two powerful patrician *gentes*: the Fabii and the Quinctii.⁸⁶

Let us look at the Vestal Virgins in order to explore further the interstices between aristocratic private and public religion. From an instrumentalist or functionalist view of religion, the priesthood of the Vestal Virgins is perhaps strangest of all. According to myth, the Vestal Rhea Silvia, or Ilia, daughter of Numitor, was the mother of the Roman people. As the font of religious life, Vestal Virgins were carefully selected from respectable, citizen families by lot from a list of twenty drawn up by the Pontifex Maximus (alternatively, and more simply, a respectable citizen (*honesto loco natus*) could offer his daughter), and purity and chastity were the main criteria in their selection.⁸⁷ As in

⁸⁴Liv. 1.7.3–15; 9.29.9–11, with Cornell 1995: 38–40; Rüpke 2007: 9 and n.10. The dedication of Hercules' statue on the Capitoline (305) may have been an act of atonement (Liv. 9.44.16). On "Greek rites" at Rome, see Scheid 1995; Scheid 2005: 87–122; for the cult of Hercules at the Ara Maxima, Scheid 2005: 92–93. For freedmen-priests in the Principate, see Knapp 2011: 192–93.

⁸⁵A verse inscription of P. Catus Sabinus (consul in 216 C.E.) demonstrates that the myth of the Potitian *gens*, Evander, and the cult of Hercules at the Ara Maxima persisted at least until the early third century C.E.: *CIL* vi.313; *ILS* 3402.

⁸⁶See Forsythe 2005: 142–43; on the religion of the aristocratic *gentes* in early Rome and Latium, see Smith 1996: 185–202.

⁸⁷Technically, girls were eligible from citizen families of all ranks (Gardner 1986: 22), but several indicted and/or condemned Vestals came from leading families; see Münzer (1920) 1999: 222–24; cf. Parker 2004: 593–95 (Appendix). The Vestal Claudia is an outstanding example of the nobly born Vestal; in 143 she interceded on behalf of her triumphing, consular father, Ap. Claudius Pulcher, against tribunician obstruction (for sources, Broughton, *MRR* 1.471); see discussion in section 3. In 19 C.E.,

the case of the augurs, these priestesses could have no bodily defects, and their virginity must be maintained throughout their tenure of the priesthood (often for life, but for a required minimum of thirty years).⁸⁸ Their virginity placed them in a liminal position in which they were full members of Rome's civic and religious organization, but removed from its family structure; set apart from the profane, made part of the sacred.⁸⁹

In the case of conviction by the pontifical college on a charge of unchastity (*crimen incesti*), the guilty Vestal suffered live interment. Dressed in funeral garments and bound in a closed, sound-proofed litter, carried in the company of her humiliated family and friends to the "field of crime" (*campus sceleratus*) near the Colline Gate, she was unbound and placed on a ladder leading down into a small, underground chamber, which was covered over after her descent. The condemned spent her final hours in this room, with a covered couch, a lighted lamp, and meager amounts of bread, milk, water, and oil. This was the only expiation for her crime that could restore the *pax deorum*. Plutarch describes the scene, with the Vestal's litter being carried through the Forum, as all present made way for the procession, following in gloomy silence to the place of burial. He adds that no spectacle is more appalling, no day more dreaded, than this. Priests would later make offerings to the shades of Vestals at the spot where they had been buried. No doubt the solemn capital punishment of a Vestal Virgin was a chilling event for anyone who observed it, apt for inspiring fear of religious violations, but the great sacrifice, disgrace, and loss primarily concerned the family from which she came, and whose public image was tarnished by her impious transgression.⁹⁰ In the case of condemned Vestals, we cannot seriously consider the supreme and terrifying punishment of burial alive as a religious charade on the part of the elite.

The foregoing discussion has been a selective consideration of only the major priesthoods. We have not, for example, discussed the twelve minor *flamines*, or the *septemviri epulones*, established by plebiscite in 196 as a priestly college specifically for sacrificial banquets for the gods, especially the *epulum Iovis*, in honor of Jupiter (as well as Juno and Minerva), celebrated

Fonteius Agrippa and Domitius Pollio were in fierce competition to have their daughters selected as a Vestal to replace the deceased priestess Occia (Tac. *Ann.* 2.86).

⁸⁸ On the general rule prohibiting priests from having bodily sores, see the skeptical comments of Morgan 1974, arguing that the rule about bodily defects was probably restricted to the Vestal Virgins, and perhaps also to the priests of the *curiae*, supposedly created by Romulus.

⁸⁹ See Parker 2004 for the Vestal Virgin as an embodiment of the state, who could serve as *prodigium*, *pharmakos*, and *devotio* to expiate and guard the Roman community.

⁹⁰ Plut. *Num.* 10.4–7; Gell. *NA* 1.12.3–12; on the site of immolation, see Richardson 1992: 302; and generally Wildfang 2006: 51–63. For the offerings of priests (ιερείς) at the tomb, see Plut. *Mor.* 287a. According to legend, the treasonous Tarpeia, a Vestal (Varro, *Ling.* 5.41; cf. Plut. *Num.* 10.1), was flung from the rock to which she gave her name; for the suggestion of this punishment for unchaste Vestals in historical times, see Quint. *Inst.* 7.8.3; cf. Sen. *Controv.* 1.3.

at the Plebeian and Roman Games. In considering elite religious practices at Rome in terms of what I call accumulative civic polytheism, it is worth reiterating that Cicero explicitly talks about the custom of having a number of priests for the worship of all of the gods, and a particular priest for every god.⁹¹ But further discussion of minor, and somewhat bizarre, religious functionaries—such as the Salian virgins (lower-class women hired for their duties by the year), Etruscan *haruspices*, the priestesses of Ceres (recruited from among Greek women in the Bay of Naples region), or the nearly naked, goatskin-clad Luperci running wildly through the streets of Rome in a rite of purification—would only serve to reinforce what has already emerged concerning sacerdotal authority: the fragmentation and diffusion of religious functions and the lack of hierarchical organization and integration within and among the priesthoods and priestly colleges.

This state of affairs is not what we would expect to find in a religious system whose primary purpose was to uphold the political and socioeconomic status quo. We might rather anticipate religious structures along the lines of Mary Beard's description of Augustus' religious dispensation, contrasting it with the republican priesthoods and priestly colleges we have been considering. "For the first time priestly knowledge had been brought together with executive power; and the emperor, as focus of political authority, became also a focus of priestly authority—with a hierarchy of major and minor priests radiating outwards from the centre. . . . This was a new world. Official religious authority had for the first time a single human face. Official religious power was clearly defined and located: the utterances of the emperor constituted 'religious policies.'"⁹²

In stark contrast to such a model, republican religion defies attempts to locate its center of power in any institutional or structural sense, but what this means for an elite-instrumentalist interpretation is not so clear. Conceivably structural incoherence, discrete areas of specialized religious expertise, and division and diffusion of spiritual authority might only have strengthened the elite's hold on nonelites, as in Foucauldian fashion the variegated web of religious power mystifyingly spun out into arcane cul-de-sacs, preserves of priestly specialists, rather than emanating from a centralized religious authority. The elusive font of republican religion would thus have been in a perpetual Derridean play of deferral. On this interpretation, religious power as a form of elite political and socioeconomic control would have been all the more effective precisely because its source could not be specifically located. An analogous argument along these lines can be made in the political sphere

⁹¹Liv. 33.42.1 (initially three, later seven, members of the college); Cic. *Leg.* 2.12.29. For more on "accumulative civic polytheism," see Chapter 4, section 2.

⁹²Beard 1990: 48; cf. 19, "Roman Republican priesthoods are marked by their diversity, by differences in organization, in method of recruitment, in type of priestly duty. Even excluding recognizably 'foreign' imports (such as the Etruscan *haruspices* or the Eastern priests of Cybele or Isis), the range of those groups traditionally entitled 'priesthoods' seems to defy generalization."

to explain the effectiveness of the republican Senate as de facto governing body. As long as the political system was in a functioning condition, the collective body of the Senate was the guiding political authority, without much buttressing in the way of a formal, legitimizing constitutional declaration of its powers and competences.⁹³

Such an analogy between the political and religious realms concerning “center-less power,” however, cannot easily be sustained once we turn our attention to individual functionaries, the magistrates and the priests. As in the religious sphere, power in the political sphere was diffused and fragmented, but political power was divided among magistracies of a limited, annual tenure (cf. the life-long tenure of the major priesthoods), ensuring the health of a highly organized, hierarchical political system (the *cursus honorum*), based on intense aristocratic competition and collegial power-sharing. As we have seen, religious institutions as a whole were neither highly organized nor hierarchically structured; and consequently the idea of a “religious system” is itself misleading.⁹⁴ The Senate provided whatever top-down organization there was in the state religion. But beyond that fact, the religious colleges do not clearly display a ranked hierarchy of authority.

In considering the colleges we may do better to jettison the concept of hierarchy entirely, and to take the cue from the archaeologist Carole L. Crumley, who advocated the notion of “heterarchy” in the social sciences, the idea that societal elements are related to one another in an unranked dynamic, that they may be rank-ordered in different ways at different times and places, and that their potencies are contingent upon particular historical configurations.⁹⁵ On such a model, neither priests as individual operatives nor priestly colleges as institutionalized collectives would have been positioned to manipulate the state religion in a straightforward manner in order to maintain the political and socioeconomic status quo. These observations compromise the idea of “center-less power” in the service of elite-instrumentalism, but perhaps the idea still has some validity in more abstract terms of political and social power. In order to explore this possibility, we must reexamine the interstitial dynamics in the political sphere among the various priests, the priests and magistrates, and, finally and most importantly, between priestly authority and the *populus Romanus*.

⁹³Hölkeskamp 2010: 23–30; cf. Linke 2014: 69, on the early Roman family and the early Roman state as examples of “akephale Organisationsform.”

⁹⁴Cf. Wardman 1982: 3–4, “It is difficult for those who are used to monotheism or a theistic philosophy to detect any sign of order within this multitude of deities and divine powers. It seems at first sight to be no more than an anarchy of traditions and novelties.”

⁹⁵Crumley 2005; cf. Crumley 1995. Crumley adapted the insights of a brilliant paper in brain research by McCulloch 1945. McCulloch’s theory of “dromes” and “diadromes” in neural networks has obvious parallels and affinities with the psychological theory of attitudinal ambivalence discussed in Chapter 5, section 1.

III. PRIESTS, POLITICAL ARENAS, AND THE PEOPLE

The piecemeal, uncoordinated, and non-hierarchical nature of the priest-hoods was at least partly the result of discrete historical processes, which would not have smoothly evolved in parallel with political institutions. Our evidence for the first two republican centuries leaves much room for guess-work, but we must acknowledge that the later literary tradition suggests a strong correspondence between political and religious developments from the beginning of the fifth century down to the mid-point of the fourth, as most of our sources suggest that magistracies and priesthoods were at one time the exclusive preserve of the patrician order. There are problems, however, with accepting this tradition at face value, since the *fasti* record plebeian consuls in the earliest Republic, and it is not at all certain that the patriciate was a closed caste allowing no intermarriage outside of its order during the first several decades following the overthrow of the monarchy.⁹⁶

It is clear, however, that around the mid-point of the fifth century patricians tried to establish their rule as a closed, hereditary oligarchy, monopolizing political and religious power. To this end they attempted to prevent intermarriage (*conubium*) among patricians and plebeians in the Twelve Tables, and they required patricians to be married *per confarrationem*, a cumbersome nuptial ceremony with private, official, sacral, and civil components, in the presence of the *flamen Dialis* and the Pontifex Maximus.⁹⁷ Throughout most of the following two centuries, the plebeian elite steadily encroached upon the patrician establishment and gained access to some of its privileges and prerogatives, both in the political realm, attaining to the consulate by the Licinian-Sextian law of 367, and in the religious sphere, gaining access to both the augurate and the pontifical college by the *lex Ogulnia* of 300. It is striking and significant that a legislative history of the “Struggle of the Orders” shows that one of the last concessions of the patricians to the plebeians was admission to the major priesthoods (more than half a century after conceding the consulate).

By the year 300, patrician attempts at creating a hermetically sealed, hereditary ruling caste had clearly failed (the *lex Canuleia* of 445 quickly abolished the interdiction on *conubium*), and thereafter we can certainly speak of a patrician-plebeian aristocracy, as with the opening of the consulate and major priesthoods to the plebeian elite the distinction between the orders faded in political importance. But until the end of the Republic and on into

⁹⁶For the *fasti*, see Cornell 1995: 12–16; for doubts about a closed patrician order in the earliest years of the Republic, see Cornell 1995: 242–71; Forsythe 2005: 157–70.

⁹⁷Linderski (1986) 2005: 226–27; on the attempted closing of the patrician order, see Cornell 1995: 252–56; Smith 2006: 278–80; on the publication of the Twelve Tables, cf. Eder (1986) 2005: 240, “The codification of law . . . does not really appear as a concession to the many, but rather as a reaction of the few aiming at preserving their political influence as completely as possible.”

the Principate, the major *flamines* and the *rex sacrorum* were still required to be of patrician and confarreate birth.⁹⁸ These priesthoods, because of the debilitating restrictions placed on their incumbents, fit awkwardly within the political system, and their formal requirements could be relaxed or adjusted to changed political and social conditions only with great difficulty.⁹⁹ In terms of the disjointed and fragmented nature of religious institutions at Rome, it is worth stressing the enduring division of labor and specialization between patricians and plebeians in religious matters.

Unlike the patrician-dominated state, the patrician-plebeian aristocracy emerging in the aftermath of the “Struggle” was never (nor did it ever attempt to be) a closed, hereditary ruling class. The great aristocratic political families, in unceasing competition with one another for the *honores* at the People’s bestowal, could rise to political prominence and fall into political obscurity; sometimes for several generations, sometimes never to rise again.¹⁰⁰ Great clans within this newer form of aristocracy were sustained by their members’ performances in the service of the *res publica*, the hereditary, “symbolic capital” of their ancestors’ past achievements, and their continual quest for reaffirmation of status as a result of their members’ winning of high elective offices.¹⁰¹ The political dispensation was thus radically transformed by the beginning of the third century at the latest into a highly competitive, aristocratic meritocracy, which continued to undergo further changes under the pressures brought on by imperial expansion, but throughout this period religion provided a thread of continuity in one important sense: it always had the potential for becoming a field of contestation with political overtones.

Livy provides what we could consider as a charter myth for the phenomenon. According to his story, King Tarquinius Priscus, hard pressed by a Sabine invasion, determined to add new centuries of cavalry to the army created by Romulus. Romulus had devised his original centuries only after having obtained augural sanction, and the augur Attus Navius insisted that Tarquinius do likewise in establishing the new cavalry centuries. At this juncture, the exasperated king issued a challenge to the famous augur’s skills, asking him whether what he happened to be thinking at the moment was in any way possible. The bird signs indicated to Navius an affirmative answer, whereupon Tarquinius triumphantly revealed he had been thinking that the

⁹⁸Cf. Cic. *Dom.* 14.38 (*rex sacrorum, flamines, salii*).

⁹⁹On the “Struggle of the Orders,” see from among a vast literature Cornell 1995: 242–92; collected essays in Raafflaub (1986) 2005; Forsythe 2005; Smith 2006; Brunt, *IM* 42–59 remains a concise and penetrating analysis. Goldberg 2015 argues that the priesthoods of the *flamen Dialis* and *rex sacrorum* afforded the great aristocratic *gentes* sustained public exposure, and were therefore of significant, if indirect, political importance.

¹⁰⁰See Hopkins 1983: 31–119; cf. Hopkins 1991: 492, “an ever-changing aristocratic oligarchy.” The family of the Claudii Pulchri, unwaveringly powerful throughout several centuries, was the exception that proves the rule.

¹⁰¹*Loc. class.* Polyb. 6.53, with Flower 1996; Hölkeskamp 2010: 76–97.

augur should cut a whetstone in half with a razor. Navius proceeded to perform the miracle, and for a long time, Livy asserts, his statue stood in the Comitium to commemorate the feat. The apocryphal tale is instructive as one of confrontation between political and religious authority, and the lesson is that at such times temporal power must yield to the divine.¹⁰² But as we shall see, our evidence from historical times shows that interpretation of the divine will was a matter of intense battles in the political arena.

Political conflicts involving religion and religious authority were republican commonplaces. A tradition on the earliest Republic reports that in 495, in the midst of a severe debt crisis, the consuls, Ap. Claudius Sabinus and P. Servilius Priscus, quarreled as to which one of them should dedicate a temple to Mercury. The story is of interest not only as an early example of a dispute concerning a religious matter erupting into a political battle (with the would-be winner surely standing to demonstrate his superior *auctoritas* over his colleague), but even more so because of its outcome. The Senate passed the decision on to the People, who decided that a first-rank centurion, M. Laetorius, should dedicate the temple, to the chagrin of both consuls.¹⁰³ In addition to revealing a political dispute among ruling elites concerning religion, this passage in Livy shows the *populus Romanus* in its institutional role as the final arbiter. As we shall see, this was not an anomaly. To take another example, in 444 three military tribunes replaced the consuls for the first time, but after three months in office they abdicated because the augurs determined that their colleague, C. Curtius, had not properly selected the ground for the *tabernaculum*, or augural tent, thus vitiating their election. In this case the augural college intervened in a tense political atmosphere, as the creation of the first college of military tribunes was a response to plebeian agitation about access to the consulate.¹⁰⁴ Nearly two decades later, the augurs removed religious impediments to naming a dictator in a time of military crisis in the war against Veii (only consuls had been able to name a dictator until this time). Finally, in 398, a dire year of pestilence at Rome, and undoubtedly contrary to the interpretation of plebeian leaders, the patricians claimed that the scourge was the result of the election of plebeians to the military tribunate and the consequent displeasure of the gods. As a result, the People elected an all-patrician college of military tribunes.¹⁰⁵

The most dramatic illustration of questions of religious authority intermingled with political contestations is perhaps the incident in 143, when the Senate blocked the consul Ap. Claudius Pulcher's right to triumph. Claudius

¹⁰²Liv. 1.36.2–7; cf. Cic. *Div.* 1.17.32–33, with Ogilvie 1965: 150–52; Luce 1977: 240–41.

¹⁰³Liv. 2.27.1–8; Val. Max. 9.3.6; cf. Dion. Hal. *Rom. Ant.* 6.23.1–33.3, for the ongoing quarrels between the consuls (but omitting the story of Mercury's temple); Broughton, *MRR* 1.13.

¹⁰⁴Liv. 4.7.1–3; cf. Dion. Hal. *Rom. Ant.* 11.60.1–5 (six military tribunes); Varro, *Ling.* 5.81.

¹⁰⁵Liv. 4.31.4–5 (augurs and dictator); 5.14.3–6; Diod. 14.82.1; Broughton, *MRR* 1.85–86 (events of 398).

had been assigned Italy as his *provincia* for the year, but he was defeated in battle by the Gallic Salassi, who inhabited a northwest area of Cisalpine Gaul. After the *Xviri* made an offering to the gods in hostile territory, at the behest of the Sibylline books, the consul was able to turn the tables on the Salassi and emerge victorious.¹⁰⁶ Back in Rome, Claudius was denied his triumph, but proceeded to celebrate it anyway, at his own expense, in the face of senatorial opposition. When faced with a tribunician veto, he had his daughter Claudia, who was a Vestal Virgin and therefore inviolate, accompany him in the triumphal chariot.¹⁰⁷ Claudia's intervention deterred the tribune, who was about to drag the consul from his triumphal car. Valerius Maximus states that Claudia then went on to the temple of Vesta in order to lead her own triumph of sorts. We should note that without a vote of the People, the *triumphator* could not have had *imperium* within the sacred city boundary, or *pomerium*. Suetonius, for what it is worth, says that he did not have popular approval (*iniussu populi*). It may be that in this case the augurs issued a *decretum*, which would have allowed Claudius to keep his military *auspicium* within the *pomerium* on the day of the triumph.¹⁰⁸ The important point for our purposes, however, is the fact that the People would have witnessed a tense and contentious political drama; one that was played out before their eyes with the quintessential symbol of *pietas*, a Vestal Virgin, at its fulcrum point.

These are tantalizing glimpses of religious questions at the heart of political struggles from the earliest years of the Republic, but in order to get a better sense of the rhetorical and ideological nuances and textures of these conflicts, we can turn to fuller evidence from the first century. Two key texts are Cicero's *De Domo Sua* from the year 57 and his *De Haruspicum Responso* from the following year, detailing some of the great orator's political and religious battles with his arch-enemy, P. Clodius Pulcher. The earlier of these speeches was delivered to the pontifical college, with augurs present as well; the latter before the Senate.¹⁰⁹ It is important to bear Cicero's elite audiences in mind in considering his statements on religion and piety in these speeches. The ultimate origin of Cicero's oratorical assaults against Clodius lay in the aftermath of an infamous religious scandal in celebration of the goddess Bona Dea.

On a night in early December 62, during celebration of the Good Goddess' rites in the Pontifex Maximus C. Iulius Caesar's house, the quaestor-elect Clodius, disguised as a flute-girl, gained access to religious proceedings

¹⁰⁶Liv. *Per.* 53; Dio frg. 74; Obseq. 21; Oros. 5.4.7; cf. Val. Max. 2.8.1, with Pelikan Pittenger 2008: 47–48.

¹⁰⁷Cic. *Cael.* 14.34; Val. Max. 5.4.6; Suet. *Tib.* 2.4; Dio frg. 74; Oros. 5.4.7; Macrobian *Sat.* 3.14.4. Another tradition stated that Claudia was the sister, rather than the daughter, of Appius.

¹⁰⁸Cf. Brennan 1996: 319–20.

¹⁰⁹See Cic. *Dom.* 13.34, with Rasmussen 2003: 183–98.

from which men were forbidden. When the Senate finally attended to the sacrilege, a fierce political struggle arose concerning the proposed *rogatio Pupia Valeria*, a bill stipulating that an extraordinary court be set up to try the case of Clodius' alleged *incestum*, with the urban praetor to select jurors rather than having them chosen by lot, the customary procedure. This served as a lightning-rod, polarizing *populares* and *optimates*. Clodius' supporters charged that the urban praetor's selection of jurors would be nothing less than the Senate usurping more than its due and trampling on the People's rights. Their opponents retorted that the provision was a righteous upholding of *senatus auctoritas*. Cicero, extremely sensitive to charges of having abused his consular authority in putting citizen supporters of Catiline to death without trial, was drawn center-stage into the controversy as a staunch defender of the Senate's dignity. Bitter enmity between Cicero and Clodius arose and escalated, with Cicero frequently referring to his nemesis as a surrogate Catiline, a depraved monster, a would-be destroyer of the *res publica*; and whenever the opportunity arose, he reviled Clodius' lurid sacrilege.¹¹⁰

In 58 the tribune Clodius effected Cicero's banishment from Rome and consecrated the site of his house on the Palatine as an *aedes Libertatis*.¹¹¹ Thanks to Cn. Pompeius Magnus, Cicero was recalled from exile in the following year and welcomed with a hero's reception, or so he would have us believe.¹¹² His speech before the pontifical college is a somewhat rambling argument for restoration of his house, in the course of which he remarks that the price of grain dropped at the same time as the Senate voted for his restitution, and that this was clearly a sign of divine approval.¹¹³ It is noteworthy that Cicero would scoff at such ideas in his *De divinatione*, but there he addresses only his brother, Quintus, and he assures him that it is safe for him to speak in a skeptical vein about divination, since "we are alone."¹¹⁴ But before his elite audience, Cicero invokes religion and the gods in order to prove the justice of his case and to condemn Clodius' ungodly enormities.¹¹⁵ Although

¹¹⁰See, for example, Cic. *Dom.* 29.77; *Har. Resp.* 17.37–18.38; allusions to Clodius and his followers as Catiline and Catilinarians: Cic. *Att.* 1.14.5; *Dom.* 5.13; 13.61; 26.72; 28.75; *Mil.* 14.37; *Pis.* 5.11; 7.15–16, 10.23; *Sest.* 12.28, 19.42. For detailed analysis of the Bona Dea trial, see Tatum 1999: 62–86; and Brouwer 1989 for a full-length study. The trial eventually took place with the clause regarding the selection of jurors by the urban praetor withdrawn. Clodius was narrowly acquitted, under the suspicion that he had bribed members of the jury. L. Lentulus Niger, the *flamen Martialis*, was one of the three prosecutors (Val. Max. 4.2.5; Schol. Bob. 89).

¹¹¹See Clark 2007: 209–220.

¹¹²Cf. *Har. Resp.* 22.46, *Pompeio principe* ("with Pompey as leading advocate"); 24.50, *vir summus atque optime de mea salute meritis* ("a great man and most deserving concerning my salvation"); but see Plut. *Pomp.* 46.5; for discussion of the political climate in 58 and 57 and Cicero's restoration, see Tatum 1999: 176–85.

¹¹³*Dom.* 6.15; 7.17; cf. 10.26 (the savior of Rome in the eyes of all of the gods).

¹¹⁴Cic. *Div.* 2.12.28, *sed soli sumus, licet verum exquirere sine invidia*.

¹¹⁵Cf. the ideological use of religion at *Sest.* 46.98, where Cicero places religion and auspices at the head of his list of the foundations of peace with honor (*cum dignitate otium*); magisterial powers,

demurring to lecture the pontifical college on religious matters, he argues that Clodius' religious proceedings in dedicating the shrine were entirely improper and invalid.¹¹⁶ Clodius is characterized as an enemy of the gods, whose abominable sacrileges were underscored by the statue with which he chose to adorn his *aedes*, a likeness of a courtesan from Tanagra, blasphemously stolen from her tomb monument.¹¹⁷ In this speech, Cicero speaks repeatedly of Clodius' irreligious *furor*, in stark contrast with the dignified reserve and propriety of the correct conduct of religion.¹¹⁸

Early in 56, nearby Rome in the *ager Latiniensis*, a strange noise had been heard.¹¹⁹ The *haruspices* reported disturbance of the *pax deorum*. Expiation must be offered for impiety in conduct of public games, desecration of sacred places, assassination of ambassadors, trampling on oaths, and impious neglect in performance of an ancient, ritual sacrifice. Meanwhile the Senate had resolved to restore Cicero's house, and Clodius maintained that the prodigy showed the gods' displeasure with that resolution. Cicero responded before the Senate, again condemning Clodius' blasphemies: his arch-foe, he alleged, had threatened all temples with fire and slaughter, and he made what had by then become a customary allusion to the Bona Dea scandal.¹²⁰ He took up the *haruspices'* points one by one, endeavoring to demonstrate that in every instance the gods were complaining about Clodius as an irreligious bane on the *res publica*; the strange sound was nothing less than Jupiter's warning against Clodius' wickedness. In his peroration, Cicero claimed that his entire speech was on behalf of religion.¹²¹

These two speeches were delivered to elite audiences, the pontifical college and the Senate.¹²² Their tone is serious. It is difficult to think that there is anything tongue in cheek or disingenuous in their invocations of religion. In this sense—a grave and pious approach to the gods—Cicero's speeches before the Senate and pontifical college differ little from the evidence of his five extant speeches *in contione* before the People, which have as their dominant theme

senatorial authority, laws, ancestral custom, criminal and civil jurisdiction, trustworthiness, provinces and allies, imperial prestige, the military, and the treasury round out the list.

¹¹⁶*Dom.* 12.33 (self-deprecation on pontifical matters); 45.118–19; 54.139; 55.140–41 (Clodius' improprieties in dedication of *aedes Libertatis*).

¹¹⁷*Dom.* 43.112; cf. *Har. Resp.* 15.33; cf. 39.104–40.105 for Clodius as an abomination to religion.

¹¹⁸*Dom.* 1.2; 5.12; 10.25; 24.63; 25.64; 25.66; 26.68; 26.69; 34.91; 39.103; 41.107; 42.109; 45.119; 50.129; 50.130; 52.133; 55.141; 57.145; cf. *Mil.* 99; *Brut.* 273. On the contrast between *furor* and proper religious observance, see references assembled by Linderski 1986: 2230nn.332–33. At *Dom.* 47.123, Cicero notes that the *furor* unleashed against the property of Q. Metellus Macedonicus resulted in no religious embarrassment for Metellus; at *Dom.* 57.144, he claims to have protected the Vestal Virgins from the *furor* of men like Clodius. He later feared the prospect of Clodius' *furiosa aedilitas* (QF 2.2.2, 17 January 56).

¹¹⁹*Har. Resp.* 10.20, 28.62; cf. Dio 39.20.1–2 for accompanying prodigies.

¹²⁰*Cic. Har. Resp.* 3.5 (Bona Dea); 4.7; cf. 27.57–58; *Mil.* 27.73.

¹²¹*Har. Resp.* 5.10–11; 28.61 (peroration); cf. *Dom.* 13.34–14.38: Clodius' impious *transitio ad plebem* was intended for the destruction of the Republic.

¹²²Note the disparaging remarks on the multitude at *Dom.* 2.4; 4.10; 6.14; 18.47; and 21.54.

divine support and the gods' protection of Rome.¹²³ Clodius' barbs at Cicero were directly addressed to the People in *contiones*. It is a pity that we possess no direct evidence of Clodius' oratory, but he clearly made savage attacks on Cicero in mass meetings, where he laid religious matters before the People.¹²⁴ Himself no mean orator and speaking with authority as a member of the college of *XVviri*, Clodius made sport of Cicero's professed religiosity and righteous self-importance, charging that Cicero fancied himself as Jupiter and claimed Minerva as his sister.¹²⁵ Clodius' feud with Cicero was public spectacle, and none of his actions was more spectacular than the appropriation of Cicero's house and consecration of the site as a shrine of Liberty. As Jeffrey Tatum has observed, "[A] visual awareness of the juxtaposition of Clodius' *domus* with Cicero's can only sharpen one's appreciation of the spectacle, viewable from the forum, of Clodius' urban followers laying riotous waste to the orator's mansion yet all the while respecting the sanctity of the tribune's residence next door. The official confiscation and demolition that followed were also carried out in the shadow of Clodius' home and in full sight of the *plebs urbana*."¹²⁶ Tatum's observations remind us of the public nature of elite political/religious disputes reaching beyond *contiones* and in the 50s frequently erupting into street violence. As far as forensic literary evidence goes, although we have only indirect evidence for Clodius' rhetorical strategies in employing religious arguments against his adversary, our brief consideration of Cicero's two speeches is sufficient to give a good idea of how religious matters may have been employed in political struggles of earlier times. In this instance, while the general interpretation and expiatory prescriptions of the *haruspices* concerning the ominous sounds coming from the *ager Latiniensis* were beyond question, the specific referents of the event were a matter of bitterly intense contestation on the political stage.

Clearly there were important differences between the Ciceronian age and the third and second centuries, but similarly highly charged, tenacious, and acrimonious invectives, expressed in public political spaces and employing religious arguments, fueled elite power struggles in our period. We are of course much less well-informed about third- and second-century oratorical

¹²³ See Fantham 1997: 105–106; cf. Horsfall 2003: 87–93.

¹²⁴ Attacks: Cic. *In Clod. et Cur.* frags. 2, 3 Crawford; cf. Plut. *Cat. Min.* 19.5; *contiones*: Har. Resp. 5.8; cf. 8.22; 18.39; 22.46; 23.48, 49; 24.51; 26.55; *Sest.* 17.40 (daily *contiones*). In defense of his erstwhile attacker Lentulus on a charge of *ambitus*, Clodius invoked Vesta before the People (Val. Max. 4.2.5; Schol. Bob. 89); in summer 58 he attacked Caesar's *acta* on religious grounds in *contiones* (Tatum 1999: 172–74, and literature cited there).

¹²⁵ Cic. *Dom.* 34.92; Clodius' oratorical renown: Tac. *Ann.* 11.7; as *XVvir*: Har. Resp. 13.26, with Tatum 1999: 312n.103, for a list of Ciceronian passages ridiculing Clodius as *sacerdos*. Clodius' priesthood casts a fascinating light on these events, since the *XVviri* took a supervisory role over the *haruspices*; see Rawson 1991: 303–304. Clodius must have been able to exert considerable pressure on the diviners. On the theological aspects of Cicero's battles with Clodius, see now Luke 2014: 88–112.

¹²⁶ Tatum 1999: 162.

battles, since Livy, our principal source, tersely reported only the main lines of political/religious disputes and controversies, without detailing the rhetorical and ideological fine points employed by the antagonists, as they are so richly preserved in Cicero's speeches. Livy nonetheless provides traces of the ferocity of elites' political/religious struggles.¹²⁷ For example, in 215, in the aftermath of the debacle at Cannae, the suffect-consul Q. Fabius Maximus Verrucosus held elections in which he was reelected with his suffect-consular colleague, M. Claudius Marcellus. But the outcome was secured only by the intervention of Fabius, who was present outside the *pomerium* in the Campus Martius as *imperator*. The junior century of the *tribus Aniensis* was voting for the praetor of 217, T. Otacilius Crassus, and M. Aemilius Regillus, the (probable) urban praetor of that same year, when Fabius objected to Otacilius' inexperience and to Aemilius' candidacy on the grounds that as *flamen Quirinus* he was not permitted to leave Rome.¹²⁸ In this case, Livy purports to reproduce the speech delivered by Fabius, in which he dwells on the inexperience of Otacilius, his son-in-law, and argues that to send the *flamen* Aemilius away from Rome would be to abandon the Romans' responsibility to the gods. Following Fabius' speech, Otacilius fiercely contested Fabius' position, charging that he was merely seeking another consulate for himself. Fabius responded by threatening his son-in-law with the rods and axes of the military commander. Although abbreviated in Livy's account, the outlines of the malicious harangues before the People *in contione* between Fabius and Otacilius in the consular elections of 215 are sufficiently clear, as is Fabius' use of religious prescriptions in thwarting Aemilius. Fabius and Marcellus were returned as consuls, while Otacilius had to be content with a second praetorship in Sicily; Aemilius with his religious duties as *flamen*.¹²⁹

In 209 the Pontifex Maximus P. Licinius Crassus pressured the dissolute C. Valerius Flaccus to become *flamen Dialis*, and he succeeded in gaining Flaccus' acceptance of the priesthood only after considerable contention. We have already considered why this priesthood with its bewildering prohibitions would hardly have been a desirable post for an aspiring politician, so that Flaccus' initial resistance is perfectly understandable. In the end, Livy tells us, the responsibilities and duties demanded by the priesthood completely changed Flaccus' character for the better, so much so that he proceeded to re-establish what he claimed was an ancient tradition: the *flamen's* right to a seat in the Senate. This outcome was not a foregone conclusion. Flaccus argued

¹²⁷ See BNP 1.119–22 for comparison of the types of evidence in Cicero and Livy and necessary precautions in using one to make inferences about the other.

¹²⁸ In 206, Crassus, the Pontifex Maximus, was elected consul, but had to remain in Rome because of his religious duties (Liv. 28.38.6–13; cf. 28.44.11–12).

¹²⁹ See Liv. 24.7.11–9.5 for the elections and Fabius' objections; 24.8.1–20 for Fabius' speech (cf. Cic. *Brut.* 14.57 for Verrucosus' oratorical skills); 22.9.11, 33.8; 27.33.8 for Aemilius' religious duties at Rome; for Otacilius' praetorships, see Broughton, *MRR* 1.244, 259; Brennan 2000: 681.

that in olden days the *flamen Dialis* had held a seat in the curia, a privilege that had fallen into abeyance because of a series of unworthy priests as incumbents. The praetor replied in opposition that ancient practices should carry little weight in this instance, and that within living memory no *flamen Dialis* had held a place in the Senate. Flaccus then appealed to the tribunes to make his case, who ruled that the priesthood itself should not suffer from the indolent characters of several individuals who had held it, and that Flaccus should have his Senate seat. The *flamen* entered the Senate with the great approval of the senators and the *plebs*, due more to his reformed, upright, and virtuous character than the dignity of the priesthood.¹³⁰ Later, in the election year of 200, Flaccus could not be inaugurated as aedile-elect for 199 because his priesthood prohibited him from taking an oath; a technical problem ultimately resolved by a legal fiction.¹³¹

In 208, the consul M. Claudius Marcellus, entering upon his fifth consulate, was detained at Rome because of religious scruples before he could join his colleague in the operations against Hannibal that ultimately would lead to his death. Among various ill omens, the *pontifices* had determined that there was a problem in the re-dedication of Marcellus' *aedes* to Honor and Virtue, which had been vowed in his first consulate in 222 at Clastidium, during the Gallic War. Q. Fabius Maximus Verrucosus, as consul eleven years before, in 233, had vowed and dedicated a temple to *Honos*.¹³² The temple of *Honos* was closely connected with the Roman cavalry and the family of the Fabii Maximi, and Marcellus' victory at Clastidium was a cavalry engagement, so that Fabius may have seen Marcellus' double temple of Honor and Virtue as a grandiose attempt to usurp his family's religious domain.¹³³ When Marcellus tried to dedicate the temple in 208, fourteen years after its initial vowing, the pontiffs blocked him, and Livy's use of the imperfect tense (*impediebatur*) suggests that their obstruction had been going

¹³⁰ Liv. 27.8.4–10; Val. Max. 6.9.3. Flaccus would go on to win the aedileship for 199 and the peregrine praetorship for 183; cf. Broughton, *MRR* 1.289, 379; Brennan 2000: 115–16.

¹³¹ Liv. 31.50.7–10 (circumvention of oath); cf. 32.7.14 (aedilician *ludi Romani*); see Gell. *NA* 10.15.4 for the *flamen Dialis*' prohibition against swearing oaths. We can compare the battle between two consuls, the Pontifex Maximus P. Licinius Crassus Mucianus and the *flamen Martialis* L. Valerius Flaccus, in 131. Both coveted the Asian command, but Crassus was able to keep Flaccus in Rome because of his religious duties there; see Cic. *Phil.* 11.18, with Gruen 1968: 65–66.

¹³² Cic. *NatD.* 2.23.61. On Fabius' single temple to *Honos*, see Richardson 1992: 190; Ziolkowski 1992: 58; on Marcellus' double temple to *Honos et Virtus*, see Richardson 1992: 190; Ziolkowski 1992: 58–60. Marius later dedicated a temple to *Honos et Virtus* on the lower slopes of the Velia (Richardson 1992: 190).

¹³³ On this incident, see the excellent discussion by McDonnell 2006: 212–28, "In effect, Marcellus' vow attempted to usurp a traditional and important cultic and political connection between the Roman cavalry and the patrician family of the Fabii Maximi. This cannot have endeared Marcellus to his older contemporary Fabius Maximus." (219); cf. Wissowa, *RK*² 149; and Smith 2006: 44–50, for further examples of gentilicial cults and the tensions that could arise between elite *privata sacra* and the state religion.

on for some years.¹³⁴ The ostensible religious issue concerning Marcellus' structure was that one *cella* had been devoted to more than one deity. It consequently would be difficult to carry out prescribed expiations, since the intended recipient of the offerings would remain uncertain. According to pontifical law, sacrifice of a single victim to more than one god could only be made to certain deities. Marcellus was incensed by the pontiffs' ruling.¹³⁵ The solution was for him to build in haste a separate temple to Virtue at considerable expense, but he was not to live to see its formal completion and dedication. Marcellus' son would finally dedicate these temples on the *via Appia*, lying outside the Porta Capena, in 205.¹³⁶

Several other incidents reported by Livy deserve mention. In 200, on the eve of the Second Macedonian War, the Senate ordered P. Sulpicius Galba, the consul assigned to Macedonia, to vow games and a gift to Jupiter. The Pontifex Maximus, P. Licinius Crassus, stated that a vow of indefinite value could not be allowed; the consul should set aside a specific sum, not to be mixed with other funds. Galba appealed to the pontifical college on the matter. The *pontifices* ruled that a vow of indefinite sum could in this case be made (incidentally, further evidence of the limited powers of the Pontifex Maximus, as he was in this instance overruled by his pontifical colleagues), with the Senate to determine the amount at the time the vow was to be paid. In 196, after the war against Philip V had been brought to a successful conclusion, a bitter dispute arose between the *pontifices* and *augures* and the urban quaestors about back-taxes owed by the colleges. The state owed money to private citizens, who had made loans to the commonwealth in the war against Hannibal, but the pontiffs and augurs had not paid taxes during the war.¹³⁷ The priests vainly appealed to the tribunes and were forced to pay a lump sum for the entire period from 210 up to the present. In 189, a spirited tussle took place between Crassus, the Pontifex Maximus, and Q. Fabius Pictor, the *flamen Quirinus*. Crassus attempted to prevent Fabius from going out to Sardinia as praetor, as this would interfere with his priestly duties. Quarrels arose in the Senate and before the People, with both parties issuing commands, taking pledges, imposing fines, having recourse to the tribunes and making appeals to the *populus Romanus*. In the end, the People sided with Crassus, and Fabius was assigned to the urban praetorship by the Senate. Finally, in 180 the Pontifex Maximus, C. Servilius Geminus, ordered

¹³⁴Liv. 27.25.7, *dedicatio eius a pontificibus impendebatur* ("the dedication of it was being held up by the pontiffs"), with McDonnell 2006: 222.

¹³⁵Plut. *Marc.* 28.1.

¹³⁶Dedication: Liv. 29.11.13–14; for Livy's depiction of Marcellus, see Levene 2010: 197–214, 333–34. The temple of Virtue housed Archimedes' famous celestial globe, or *sphaera* (Cic. *Resp.* 1.14.21–22). The *aedes* of Q. Fabius Maximus Verrucosus may actually have been established by Verrucosus' great-grandfather; Marcellus would then have embellished a long-existing structure; see Richardson 1992: 190–91.

¹³⁷Liv. 26.36.8.

L. Cornelius Dolabella to lay down his office as *duumvir* in order to be installed as *rex sacrificulus*. Dolabella refused, and the pontiff imposed a fine. Dolabella appealed to the People, and as the tribes were in the process of voting in support of Geminus' ruling, an unfavorable omen (*vitium de caelo*) stopped the proceedings. P. Cloelius Siculus was installed as the new *rex sacrificulus* instead of Dolabella.¹³⁸

The most dramatic and consequential political wars with religious legitimacy issues at stake took place near the end of our period: the fateful tribunes of Ti. Gracchus in 133 and C. Gracchus in 123 and 122. Questions concerning the competences and inviolability of the person of the tribune and the direct involvement of the People in the controversies surrounding their tumultuous careers are prominent features in the tragic stories of both brothers. Ti. Gracchus promulgated his land-reform bill early in his tribunate, probably in December 134, and Plutarch reports that there were many debates before the People *in contione* about the proposal's merits and flaws.¹³⁹ When Tiberius' fellow-tribune, M. Octavius, obstructed his proposed bill in comitial assembly, he clearly did so in violation of the spirit of the magistracy, which enjoined the tribune to represent the voice of the People, as there was overwhelming popular support for the legislation.¹⁴⁰ Senatorial supporters of Tiberius, who was himself an augur, were Ap. Claudius Pulcher, the consul of 143 and an augur, P. Mucius Scaevola, the consul of the year and a pontiff, and P. Licinius Crassus Dives Mucianus, a member of the pontifical college, soon to be elected as Pontifex Maximus.¹⁴¹ When Octavius persisted with his veto in the legislative assembly, and the People, at Tiberius' bidding, voted for Octavius' deposition, the obstructive tribune was stripped of his office and forcibly removed from the scene. The agrarian reform bill then passed in the *concilium plebis* and the triumviral commission (including Tiberius) for surveying and allotting the *ager publicus* began to implement its plan. Through a series of calamitous miscalculations over the next several months, not the

¹³⁸Liv. 31.9.6–10 (vow of indefinite sum in 200); 26.36.8; 33.42.2–5 (priests and back-taxes); 37.51.1–7 (Crassus and Fabius), with Brennan 2000: 107; Liv. 40.42.6–13 (Geminus and Dolabella); cf. Liv. *Per.* 19; Val. Max. 1.1.2 for a conflict between the Pontifex Maximus and the *flamen Martialis* in the First Punic War. The priestly colleges themselves could present anything but a united front, as when on the eve of the war against Perseus the *decemviri* and *haruspices* gave contrasting reports on the meaning of a prodigy (Liv. 42.20.1–5, with MacBain 1982: 59). On the eve of Hasdrubal's invasion in 207, reports of a giant infant of indeterminate sex at Frusino and related portents involved independent investigations and expiatory prescriptions of pontiffs, *haruspices*, *decemviri*, and aediles (Liv. 27.37.5–38.15).

¹³⁹Plut. *Ti. Gracch.* 9.3–10.4.

¹⁴⁰Cf. Polyb. 6.16.5. This was an important part of Tiberius' argument for Octavius' deposition, in which he stated that Octavius had violated the holy office of the tribunate, calling the gods to witness that he did not willingly dishonor his colleague; see Plut. *Ti. Gracch.* 15.1–6 and App. *BC* 1.1.12; Broughton, *MRR* 1.493–94.

¹⁴¹See Cic. *Resp.* 1.19.31; Plut. *Ti. Gracch.* 9.1; Rüpke 2008: 107; cf. Briscoe 1974; Stockton 1979: 27–28. Tiberius became an augur at an unusually young age (Plut. *Ti. Gracch.* 4.1).

least of which were his imperious handling of the legacy of King Attalus III of Pergamum and his maladroitness for reelection to a second successive tribunate, Tiberius alarmed many in the Senate with his demagogic tactics.

Later in the year, P. Cornelius Scipio Nasica Serapio, Pontifex Maximus and Tiberius' first cousin, set a chilling precedent for violence as a solution to political crisis. Against advice of Mucius Scaevola, legal expert and sole consul present in Rome at the time, Nasica, in priestly fashion veiling his head with the skirt of his toga (*capite velato*) and revealing the purple border, led a senatorial lynch mob against Gracchus; and he seems to have presided over an ancient form of ritual killing (*consecratio capitis*) of the tribune and some three hundred of his followers, or so it was later represented.¹⁴² Religious grounds for Tiberius' murder were that the renegade tribune had made himself *sacer* by aiming at *regnum* and violating a tribune.¹⁴³ Plutarch's detail that all of the victims were killed with wood or stone, not with iron weapons (excluded from sacrifices), may provide some support for the idea that the perpetrators represented Ti. Gracchus' killing as the offering of a damned soul to Jupiter.¹⁴⁴ The violence took place in front of the temple of Jupiter Optimus Maximus, and the bodies were unceremoniously dumped into the Tiber. Senatorial feeling thereafter seems to have turned to remorse and repentance, or perhaps the Senate's actions were simply motivated by desire to deflect attention away from the violence against citizens meeting in an electoral assembly on that fateful day. Nasica was sent as a legate to Asia, in effect as an exile, where he soon died at Pergamum, and after consultation of the Sibylline Books, the Senate sent an embassy of atonement to the shrine of Ceres at Henna in Sicily.¹⁴⁵

A member of the first triumviral commission for reassigning public land in 133, C. Gracchus as tribune in 123 and again in 122 proposed a wide-ranging reform package. Gaius' legislative initiatives addressed the needs of the urban *plebs* and the city's food supply, improvement of the road system and other public building projects, state finance, revenue charges, customs dues, agrarian reform and colonization, election and tenure of magistrates, administration of provinces and the problem of judicial corruption in the *quaestio de repetundis*, military provisions and terms of service, and the political and juridical status of Latins and Italians. He clearly desired to implement a vast extension of his brother's reform program, but he may also have

¹⁴²See Cic. *Cat.* 1.1.3; Liv. *Per.* 58; Val. Max. 3.2.17; Plut. *Ti. Gracch.* 19.1–6; App. *BC* 1.16. On the religious symbolism of Nasica's behavior, see Linderski 2002.

¹⁴³Cf. Liv. 2.8.2 (curse on would-be kings and their property); 3.55.7–8 (those harming tribunes, plebeian aediles, or *decemviri* are *sacer*).

¹⁴⁴See Plut. *Ti. Gracch.* 19.6; Badian 1972: 726 and n.168; Linderski 2002; but see the objections of Wiseman 2009: 186–87.

¹⁴⁵See Broughton, *MRR* 1.499 (Nasica); Cic. *Verr.* 2.4.108; Val. Max. 1.1.1c, with Spaeth 1996: 73–79; Flower 2006: 72–75, and literature cited there; see also Scheid 2005: 93–94 (Ceres at Henna).

been motivated, to no small degree, by a personal quest to avenge Tiberius' slaughter.¹⁴⁶ Some of his legislative measures can at least be interpreted to support such a view. For example, one of Gaius' first proposals as tribune was the *lex de abactis*, which stipulated that a magistrate who had been removed from his office by a vote of the People should be disqualified from holding any further public office for the rest of his life (he is said to have later pardoned Octavius, on the advice of his mother, Cornelia). Another measure, the *lex de capite civis*, was aimed at ensuring that *quaestiones extraordinariae* must be instituted by special laws passed by the People. Such a tribunal without popular authorization had been used in a pogrom against Tiberius' followers in 132, resulting in further executions and banishments. This proposal was undoubtedly inspired by Gaius' hatred of P. Popillius Laenas, who as consul had presided over the inquisitions of Tiberius' supporters. In any event, Popillius fled Italy before being brought to trial.¹⁴⁷ Finally, according to Cicero and Plutarch, Gaius frequently and dramatically deplored the murder of his brother Tiberius in *contiones*, certainly peppering his speeches with invocations of the gods.¹⁴⁸

Gaius' tribunate, therefore, promised to be spectacularly ambitious and perhaps vindictively acrimonious from its inception. In the course of his second tribunate, his fellow tribune, M. Livius Drusus, undermined his support among the urban *plebs*, the Latins, and those Italians who were disgruntled by the work of the Gracchan land commissioners. Gaius, like his brother before him, resorted to demagogic tactics in defiance of the Senate, symbolically moving his domicile from the Palatine to an area near to the Forum and pulling down seats for a gladiatorial show that would have obstructed the viewing of the poorest spectators. His actions, of course, ultimately had similarly tragic consequences as those of Tiberius more than a decade earlier. For our purposes, we can concentrate on one of his projects and its repercussions: the foundation of Junonia/Carthage by provision of the *lex Rubria*.¹⁴⁹

¹⁴⁶Cf. Cic. *Brut.* 33.126, *Utinam non tam fratri pietatem quam patriae praestare voluisset!* ("If only he had desired to show as much loyalty to his country as to his brother!"); *Har. Resp.* 20.43; Vell. Pat. 2.6.2, *vindicandae fraternae mortis causa* ("for the sake of vindicating his brother's death"); Flor. 2.3.15; *ORF*³ no. 48, II.17.

¹⁴⁷*Lex de abactis*: Plut. *C. Gracch.* 4.1; *lex de capite civis*: Cic. *Rab. Perd.* 4.12; Plut. *C. Gracch.* 4.1–2, with Gruen 1968: 80–82; pogrom against Tiberius' supporters: Plut. *Ti. Gracch.* 20.3; Cic. *Amic.* 11.37; Sall. *Jug.* 31.7; Vell. Pat. 2.7.4, *consules asperime in Tiberii Gracchi amicos saevierant* ("the consuls had most harshly taken vengeance against the friends of Tiberius"); Val. Max. 4.7.1. Popillius returned to Rome in 121 after the tribune L. Calpurnius Bestia passed a bill for his restoration (Cic. *Brut.* 34.128).

¹⁴⁸Cic. *De or.* 2.170, *Ti. Gracchi mortem saepe in contionibus deplorasti* ("You have often deplored the death of Tiberius Gracchus in mass meetings"); cf. Plut. *C. Gracch.* 3.2–4, and Cic. *Div.* 1.26.56 (Gaius' dream and Tiberius' apparition); for Gaius' astonishing oratorical skills, see *ORF*³ no. 48, 1–14. Note also Cic. *Div.* 1.18.36–19.37; cf. 2.29.62, on Gaius' father, Tiberius Gracchus, who put great stock in auspices, prophecies, and soothsayers.

¹⁴⁹This was but a part of Gaius' wide-ranging colonization plan. App. *BC* 1.23.1 and Liv. *Ep.* 60 mention several colonies, and the *Liber Coloniarum* I attests to fourteen towns and territories described as *limites Gracchani*; see Roselaar 2009; and more generally Gargola 1995: 147–74.

Opposition to this measure was vociferous, and unlike some of Gaius' other pieces of legislation, the foundation of the colony was quickly abandoned after his death. His opponents' objections could not have been based on any fear that as super-patron of African colonists Gaius stood to gain leverage in electoral and legislative assemblies at Rome, unless we entertain the unlikely notion that they believed a significant number of the tenants would be absentee landlords. Unfortunately, we possess only faint echoes of what was said against Gaius' colonization of Junonia in *contiones*, and nothing of his rejoinders. Still these echoes allow a rough reconstruction of the arguments employed: the commissioners were recruiting settlers in excess of the legally prescribed limit for the number of colonists; the site itself was cursed by the gods; colonies had often become hostile threats to mother-cities, almost certain to be the case should Rome's arch-nemesis be refounded; various omens were unfavorable; and perhaps most foreboding of all, wolves had even carried away boundary markers of the land surveyors.¹⁵⁰

Gaius failed in his bid for re-election to a third consecutive tribunate. By this time his support had faded, as the consul C. Fannius and the tribune Livius Drusus had effectively drawn away much of his following. We need not think that religious arguments about Junonia were at all decisive in electoral comitia. In the end, Gaius and Flaccus assembled a large group of their followers on the day the vote was to be taken on abrogation of the *lex Rubria*. A scuffle ensued, and a herald of the consul Opimius was killed. Next the Senate famously issued the *senatus consultum ultimum*, instructing the consul to defend the *res publica*. Opimius' forces, including a band of Cretan archers, besieged Gaius, Flaccus, and their followers on the Aventine, who were hunted down and murdered (with Gaius preempting that fate by suicide). Opimius later performed a ritual purification of the city (*lustrum*) and built or rebuilt a temple to Concord (soon to be mockingly adorned with bitterly ironic graffiti by nonelite, Gracchan supporters), in an attempt to mitigate the brutality, with consecration of a temple requiring formal consent of the People.¹⁵¹

The preceding selection of particular historical junctures shows that religious controversies were frequently at the center of political struggles, which were waged openly before the *populus Romanus*. The discussion has revealed ample evidence for intense conflicts involving religious questions among priests and between religious and political authorities in the late third and early second centuries. Brief summaries of the tribunates of the Gracchi have put the theme in high relief, as their tragic stories have shown horrifying political violence and disquieting attempts at religious justification at a crisis

¹⁵⁰ Plut. *C. Gracch.* 11.1–2; App. *BC* 1.3.24, with Gargola 1995: 165–67.

¹⁵¹ On the graffiti on the temple of Concord as a “hidden transcript” of popular protest, see Morstein-Marx 2012, esp. 197–99.

point near the end of our period. Livy frequently gives hints of the vehemence of these struggles in earlier times, and the more extensive evidence of Cicero's speeches—considered with due caution and attention to distinctive aspects of the late republican political scene—provides some idea of its flavor.

Why would elites be all too willing to parade political-religious conflicts before the populace? In what ways would elite religious disputes in the political arena have supported nonelites' trust in and subservience to the state religion? How could the actions of the political and religious authorities we have surveyed here have bolstered religious institutions designed for the maintenance of political and social control? The horrific images of Scipio Nasica, the Pontifex Maximus, leading the lynch mob that murdered Ti. Gracchus and his followers in front of the temple of Jupiter Optimus Maximus, and of the consul L. Opimius' armed force besieging C. Gracchus, M. Fulvius Flaccus, and their followers on the Aventine hill, as well as Opimius' later attempts to justify their violent deaths on religious grounds, bring these questions into the sharpest focus. The obvious answer is that such questions are misguided, especially in view of the fact that in several of the earlier political/religious contestations reported by Livy the People formally played the parts of active participant and final arbiter. As we shall see in the following section, the People did not constitute a passive cipher or receptacle for elite ideological projections (at least in times when the *res publica* had some semblance of a functioning political system); but rather they both actively performed and helped to create the state religion (albeit to a limited degree), and were in important senses independent of it.

IV. A ROAD NOT TAKEN, NONELITES' RELIGIOUS AUTONOMY, AND ELITES' RITUAL OBSESSIONS

We can begin this final section by considering another way in which elites did not employ institutional mechanisms for political and socioeconomic control of nonelites. First let us remind ourselves of the hard realities of life in the Roman world. Violence and crime were always rife; famine was an ever-present worry; diseases and plagues were constant concerns (malaria, tuberculosis, typhoid fever, and gastroenteritis were common killers); and life expectancies (with great regional variations) were short by the standards of today's industrialized, western nation-states. In Rome itself individual safety, bodily security, and retributive justice for personal injury were not primarily concerns of the state. Rome never developed standing police forces as we find them in the modern nation-state.¹⁵² Elites were not immune to the hazards

¹⁵²Cf. Lintott (1968) 1999 (routine violence); Nippel 1984; Nippel 1995 ("policing" Rome); Rickman 1980; Garnsey, Gallant, and Rathbone 1984 (grain stores); Scobie 1986 (unsanitary conditions); Garnsey 1988 (food supply); Shaw 1996 (life expectancies); Sallares 2002 (epidemiology); Rosenstein 2004 (impact of war); Scheidel 2010 (physical security), and literature cited there.

of fortunes presented in such a society, and as Walter Scheidel remarks, “[i]n the most general terms, there is no indication that elite longevity was much better than for the general population.”¹⁵³

Livy regularly reports ravages of pestilence in the city that killed across the socioeconomic spectrum. In 180, for example, many priests were carried off by an incidence of it.¹⁵⁴ Upper-class fathers had little to do with their children until they had survived threats of lethal childhood diseases and therefore had a reasonable chance of reaching adulthood. Cicero relays a commonplace assumption that the death of a small child should be borne with equanimity; that of an infant scarcely noticed.¹⁵⁵ Tiberius Gracchus the Elder and Cornelia, to take an example from a prominent aristocratic family in our period, had twelve children, of whom only Tiberius, Gaius, and Sempronia survived into maturity.¹⁵⁶ As Moses Finley once observed, “childhood was a preparatory stage for adulthood, to be traversed as rapidly as was biologically reasonable, and nothing more.”¹⁵⁷ Even when children survived childhood diseases, they frequently predeceased a parent, as we know so poignantly in the case of Cicero’s daughter, Tullia.¹⁵⁸ At the other end of the actuarial spectrum, old age held out the grimmest of prospects. For Vergil, for example, it was an unrelieved burden, accompanied by disease, fear, hunger, and poverty.¹⁵⁹ To invoke Hobbes’ famous pessimistic statement, life in ancient Rome was “nasty, brutish, and short.”

While elites were not immune to these harsh realities, they could have turned them to their own advantage. From an instrumentalist perspective, they might have done more to employ religion as a means for political and social control through charitable institutions (and here a comparison with institutionalized Christianity forms the starkest of contrasts). We certainly cannot

¹⁵³Scheidel 2010: 3. According to Livy (4.52.7), in 412/11, because of pestilence, no more than one senator was available for each embassy sent out to seek grain loans in time of scarcity; so the consuls added two *equites* to each embassy. For broader historical context, we can consider that before 1800, there were life expectancies as high as forty years at only few times and in only few places throughout the world; see Riley 2001: 32–57; cf. Braudel repr. 1995: 81–82, for a snapshot of the volatile and precarious ecological changes and demographic patterns from the medieval through early modern periods in the Roman Campagna.

¹⁵⁴Liv. 40.42.6–13; cf. 4.25.3–4 (436/35); 4.52.7 (412/11); 5.13.4–8 (399); 5.14.3–6 (398); 6.20.16 (384); 7.2.1–4 (364); 7.3.1–9 (363); 7.27.1–2 (347/46); 8.17.3–4 (332); 9.28.6 (313); 10.31.8–9 (295); 10.47.6–7 (292, introduction of Aesculapius to Rome); 38.44.7–8 (187); 40.19.1–8 (181). For a temple (*fanum*) to Fever (*Febris*) on the Palatine, and an altar to Misfortune (*ara Malae Fortunae*) on the Esquiline, see Cic. *NatD.* 3.25.63–64.

¹⁵⁵Cic. *Tusc.* 1.39.93, with Bradley 1991: 28–29, cf. Golden 1988.

¹⁵⁶Plut. *Ti. Gracch.* 1.3–5; Plin. *HN* 7.57.

¹⁵⁷Finley 1981b: 159.

¹⁵⁸See, e.g., Cic. *Att.* 12.14 (251); 12.18 (254); 12.23 (262), with Treggiari 2007: 136–38; cf. Quint. *Inst. praef.* 6; Fronto, *De nepote amisso* 2, with Champlin 1974: 155; Plin. *Ep.* 5.16.

¹⁵⁹Verg. *Aen.* 6.275–76; cf. Cic. *Sen.* 2.4 (all men wish to reach old age but reproach it once attained); Sen. *Ep.* 12 (taking a tone of unconvincing optimism, and holding out the consolation of ever-available suicide), with Bradley 1991: 117–18.

discount the famous politico-cultural phenomenon of “bread and circuses” (*panem et circenses*), even in the period of the Middle Republic. Things like public games (*ludi*), public meals—such as the thanksgiving-feasts (*supplicationes*), which may be associated with the “banquets of the gods” (*lectisternia*), or repasts given in association with triumphs (*cenae triumphales*)—and the various festivals that filled up the calendar year all had obvious religious dimensions and served, at least temporarily, to alleviate the plight of nonelite inhabitants in the city. We should like to know more about the *Columna Lactaria*, associated with the *Aedes Pietas*. This temple was vowed by M. Acilius Glabrio before the battle at Thermopylae in 191, and dedicated by his son in 181. There was a story that infants would be taken to the *Columna* to be given milk; these infants must have been of poor families unable or unwilling to care for them. But there is no evidence that the state had anything to do with this charity; some sort of private association seems to have been responsible.¹⁶⁰ To take up an instructive comparison with institutionalized Christianity, we can say that republican religion did not develop permanent charitable institutions for alleviating human suffering; indeed, there were not the structural or financial resources available to it to do so.¹⁶¹

Towards the end of our period the state did offer a subsidized grain dole, and there were magnificent outlays at the public games by ambitious aediles. Beyond the state, there were private burial clubs and alimentary associations (such as the *Columna Lactaria* association), or individual benefactions of patrons to clients. Some of these forms of benefaction, or euergetism, undoubtedly tied nonelites to their superiors. But the important point is that official religious authority did not take this avenue. Finally, priests’ primary concern was with placating the gods for successful outcomes in this world. Compared with their Christian counterparts, they did not play a significant role as intermediaries, who could help to ensure tranquility and well-being for an individual in an after-life.¹⁶² From a (somewhat cynical) instrumentalist viewpoint, these faculties could be viewed as additional religious means for ensuring elites’ political and social control, but the state religion did not employ them. In terms of the physical, psychological, emotional, and spiritual needs of the individual, ancient Rome was largely a self-help society.

Let us turn our attention to the question of the formal religious powers of the People at Rome. Greek observers were astounded by the intensity

¹⁶⁰ Temple of *Pietas*: Liv. 40.34.4–6; Val. Max. 2.5.1, with Richardson 1992: 290; *Columna Lactaria*: Festus (Paulus) 105 Lindsay, with Richardson 1992: 94. For sacrificial banquets, see Scheid 2005: 213–54.

¹⁶¹ Cf. BNP 1.87: “Roman temples were not independent centres of power, influence or riches in the republican period; they did not, with rare exceptions, have priestly personnel attached to them and they did not therefore provide a power base for the priests as opposed to other groups of society.”

¹⁶² For beliefs about the afterlife, see the concise and still-useful account in Toynbee 1971: 33–39; and in military contexts, see Rüpke 1990: 202–204.

and frequency of public cultic activity there. Polybius noted that concerning public matters of “religious awe” (δεισιδαιμονία), the Romans went to such great lengths in pomp and elaboration that nothing could have exceeded their preparations. Dionysius of Halicarnassus stated that one could find far more sacred precincts, altars, temples, festivals, priests, and laws for ceremonial purification and expiation at Rome than in any other city, Greek or barbarian.¹⁶³ What part did the *populus Romanus* have here? The People played an important, and in some cases decisive, formal role in elites’ political/religious battles. Fabius’ and Otacilius’ altercation took place in 215 in *contiones* in the Campus Martius. The dispute in 209 between the Pontifex Maximus and the *flamen Dialis* was brought before the tribunes, and the *flamen* Flaccus eventually entered the Senate, as Livy says, with the approval of the populace; certainly only after the issue had been discussed by both sides in mass meetings. The religious impediments to Flaccus’ later election to the aedileship for 199 were resolved by a tribunician bill passed by the People. The religious controversy surrounding Marcellus’ rededication of the *aedes Honoris et Virtutis* in 208 could only have been settled by popular vote. The decision to allow P. Sulpicius Galba to make a vow of an indefinite sum in 200 would have needed ratification in the popular assembly. The issue of the *pontifices* and *augures* and their unpaid taxes in 196 was brought before the tribunes and undoubtedly before the People in *contione*. The dispute in 189 between the Pontifex Maximus and the *flamen Quirinus* was only laid to rest in the popular assembly, as was the argument concerning the appointment of the *rex sacrificulus* in 180, at least until the voting *comitia* were interrupted by an unfavorable omen, apparently to the chagrin of the *pontifex*.

The People played an important, and independent, religious role in the calamitous events of Ti. and C. Gracchus’ tribunates, though in these instances all formal institutions proved impotent in the wake of political and societal collapse and the reign of public violence. But concerning the more tranquil and ordered events under a functioning republican system as represented by Livy, and notwithstanding the degree to which political and religious *auctoritas* and elite social pressures may have been important factors in comitial decisions, the fact remains that in a formal sense the *populus Romanus* was an active participant in decisions affecting the rules and personnel of the state religion and performed in an institutional capacity as the final arbiter in many religious matters. Conversely, the People could act in the political arena against the pressures of religious authorities, at least if we are to believe Plutarch’s statement that the People once scoffed at the priests’ advice in electing a military tribune.¹⁶⁴

¹⁶³Polyb. 6.56.8; Dion. Hal. Rom. Ant. 2.63.2.

¹⁶⁴Plut. Camill. 18.2.

Cicero states that the People authorized by vote all consecrations of buildings, lands, and altars, and especially dedications vowed by military commanders in the field.¹⁶⁵ His statement assures that Marcellus' re-dedication of the temple of Honor and Virtue in 208 and Galba's vow of an indefinite sum in 200 would have required formal, popular approval. In 154, popular approval must have condoned the demolition of Rome's first stone theater, already under construction, with the Pontifex Maximus Scipio Nasica making arguments on religious grounds in support of the action.¹⁶⁶ Moreover, Cicero states that in that same year, C. Cassius Longinus, the censor, submitted a petition for the dedication of a statue of Concord in the Senate house to the pontifical college, but in the end the People took the final decision.¹⁶⁷ Of greater consequence was the People's role in selecting the Pontifex Maximus, an electoral power that went back at least to the late third century. We first learn about this prerogative when the curule aedile P. Licinius Crassus was elected against his rival candidates T. Manlius Torquatus and Q. Fulvius Flaccus in 212.¹⁶⁸ In 145, the tribune C. Licinius Crassus proposed a bill to fill the other priesthoods by popular election, which the praetor and religious authority C. Laelius successfully opposed. The People later acquired this electoral right in 104, when the tribune Cn. Domitius Ahenobarbus, disgruntled at being snubbed in his bid for the augurate (or perhaps the pontificate), proposed and passed a law enabling the People to elect priests in a modified form of the tribal assembly.¹⁶⁹

It is commonplace to consider the Gracchi's direct appeals to the populace, circumventing the Senate, as part of what made their tribunates revolutionary, but even here there was nothing particularly unusual about such a procedure, attested in 232 in C. Flaminius' land bill to establish virgane allotments to citizens in northern Italy, in 188 in the tribune C. Valerius Tappo's bill to grant full citizenship to some Italian communities, and in the secret ballot legislative proposals of 139 and 137, the *lex Gabinia* and the *lex*

¹⁶⁵Cic. *Dom.* 49.127–50.128, with Linderski 1995: 497 and n.3, on the *lex Papiria*; *Leg. Agr.* 2.7.17 (all powers, all commands, all commissions granted by the People); cf. Liv. 23.30.13–14 (Q. Fabius Maximus must be formally appointed *Ilvir* by the People in order to dedicate a temple for Venus of Eryx on the Capitol (23.31.9), which he had vowed earlier as dictator).

¹⁶⁶Liv. *Per.* 48 (*ex senatus consulto*); Val. Max. 2.4.2 (*senatus consulto*, no theatrical seated entertainments within a mile of the city); Vell. 1.15.3; App. *BC* 1.4.28; Oros. 4.21.4; August. *CD* 1.31 (perhaps from Varro), with Champion 2004a: 217–18.

¹⁶⁷For the censor of 154, see *Dom.* 50.130–51.132; 53.136; Broughton, *MRR* 1.449.

¹⁶⁸Liv. 25.5.2–4; cf. Val. Max. 1.1.6 (Crassus' discipline of a wayward Vestal). Crassus was elected when he was still a candidate for the curule aedileship. Livy states that for 120 years before this no one had been elected Pontifex Maximus who did not hold a curule office. Though Livy's statement is vague, it suggests that popular elections of the chief pontiff could have occurred long before 212.

¹⁶⁹For sources, see Broughton, *MRR* 1.469–70 (145); 1.559 (104); Sulla later reinstated the old system of cooptation, but the *lex Domitia*'s combination of nomination, election, and cooptation was restored by a law of T. Labienus in 63, and reinforced by a *lex Iulia* after 49; see Linderski 1972: 191–92; Rüpke 2012: 118–23.

Cassia.¹⁷⁰ Finally, for an example concerning an exclusively religious question, in the year of C. Gracchus' first tribunate the *pontifices* disallowed the Vestal Licinia's dedication of an *ara*, *aedicula*, and *pulvinar* on the rock below the Aventine, where there was a temple of Bona Dea, because the People had not ordained the dedication.¹⁷¹

There is no need for further discussion of the People's formal, independent participation in and final decision-making powers over both political issues involving religious matters and purely religious affairs. It is time to turn to an even more important question for our overall purposes. What qualitative role did the People play in actual enactments of public festivals, rituals, and sacrifices? Unfortunately, our sources are inadequate for reconstructing anything like a Geertzian "thick description" of these events. We have, for example, a good idea about official functionaries of public processions and ritual sacrifices from artistic monuments, such as, to take some well-known (and admittedly anachronistic) examples, the relief sculptures on the north and south walls (in the building's modern orientation) of the *Ara Pacis Augustae* and the honorary monument for Marcus Aurelius, sacrificing to Jupiter Optimus Maximus on the Capitoline hill, on one of the spectacular relief-panels in the main staircase of the *Musei Capitolini* in Rome.¹⁷² We also get glimpses in literary sources, famously in the Augustan age in Horace's *carmen saeculare* as a reflection of the *ludi saeculares*, which later came to be celebrated in late May–early June 17 B.C.E., or in intriguing tidbits about religious festivals contained in Ovid's *Fasti*, or in the fragmentary works of Varro and Festus.¹⁷³ But, of course, all of this evidence is indirect. Texts, whether they are architectural, sculptural, or literary, are selective and to some degree tendentious. They can provide only severely restricted access to entire social contexts of historical events. And here a problem arises, all too familiar to the anthropologist. How is one to recover the meaning of a ritual act when it is largely embedded in the singular performance of the act in question? That problem is compounded in the study of religious practices by the seemingly contradictory evidence of literary and nonliterary sources for the same cult; as, for example, in the case of the worship of Bona Dea.¹⁷⁴

¹⁷⁰ Polyb. 2.21.7–8; Cato, *Orig.* Bk. 2, frg. 14 Chassignet; Cic. *Sen.* 4.11; *Inv.* 2.17.52; *Acad.* 2.5.13; *Brut.* 14.57; *Leg.* 3.9.20; Liv. 21.63.2; Val. Max. 5.4.5 (232); Liv. 38.36.7–8 (188); Broughton, *MRR* 1.482, 485 (secret ballot proposals); cf. Liv. 26.33.10 (210), with Badian 1972: 694–97; Plut. *Flam.* 18.1 (189 or 188), with Stockton 1979: 63n.9. For parallels to Ti. Gracchus' political tactics in earlier tribunician activity, see Taylor 1962.

¹⁷¹ Cic. *Dom.* 53.136; Ov. *Fast.* 5.148–58 (Bona Dea temple).

¹⁷² See Scott Ryberg 1955, with Plates X–XIII, LVI (fig. 86).

¹⁷³ *Ludi saeculares*: BNP 1.201–206; cf. Zanker 1988: 101–238; on literary sources and the calendar, see Feeney 1998: 123–27; Feeney 2008. Rüpke 2007: 59–60 provides a convenient summary of the contents of Varro's *Antiquitates rerum divinarum*; cf. Rüpke 2015a: 54–57.

¹⁷⁴ Brouwer 1989: 15–228, collects archaeological, epigraphic, and literary sources for the Bona Dea cult. See Feeney 1998: 18, and literature cited there, whose excellent study gives a salutary warning against employing literary texts as guides for historical reconstruction; cf. Buc 2001 on texts,

Who were the nonelite spectators attending public events of the state religion? What were their numbers, how stratified were they, and how representative were they of the entire *populus Romanus*? How varied were the observers in their understanding of the state religion—its rules, prohibitions, and prescriptions? Were some included while others were excluded, and to what degree did those present in some sense participate?¹⁷⁵ Moreover, how might answers to these questions depend upon the specific rules and protocols of particular public religious events? In short, we should like to know more about the by-standers, the spectators, the audience, as opposed to the principals, of the state religion. Our historical evidence, both literary and nonliterary, in most cases denies us specific answers to these questions. Yet even if we were able to provide answers, how could we devise a methodological approach for uncovering what the ritual event meant to any given viewer? This would seem to be an impossible undertaking, since the same formal ritual content generates different meanings in different times and places. Singular ritual enactments at particular times and in particular places can and will mean different things to different people.¹⁷⁶ As Catherine Bell has observed, “No matter which definition of ritual is used, it is obvious that not every society or subgroup appeals to ritual activities in the same way and to the same degree. Hence, any theory of ritual as social control must also specify what type of society or community is likely to depend heavily on this form of control and why.”¹⁷⁷ Finally and most devastatingly, the very nature of ritual itself defies any attempt to pin down a precise and immutable “meaning.”¹⁷⁸

Notwithstanding these methodological obstacles, we can at least say something about the various meanings generated by official religious practices. Clearly, most citizens in Rome itself would have had experience of formal practices of the state religion at one time or other during their lives. But attendance at performances of public cult varied. Some of these public spectacles involved impressive numbers of people. The major public games and triumphs come readily to mind. For particular examples from the Late Republic, M. Crassus as consul feted the People at 10,000 tables at a sacrifice in honor of Hercules, only to be surpassed by Caesar’s celebration of his

authorial intentions, literary representations of ritual, and the problems of reconstructing early medieval political culture.

¹⁷⁵ Cf. Prop. 4.9: according to this mythical charter, women exclusively attended the rites of Bona Dea; men those of Hercules at the Ara Maxima; cf. Gell. NA 11.6.1–3; Plut. *Mor.* 278e–f.

¹⁷⁶ Cf. Converse 1964, who argued that few “idea elements” of elite political ideologies actually penetrate “belief items” and “attitude items” of mass voting publics in modern nation-states.

¹⁷⁷ Bell 1992: 176; cf. Huet 2015 on ritual spectators.

¹⁷⁸ See Beard 1987; cf. Hopkins 1991: 485: “Romans’ knowledge of ritual was, paradoxically, at the same time systematic, partial, and hierarchical. Some people knew a little; only a few knew a lot”; Bell 1992: 186, “[Studies of Goody and Watt] also suggest that ritualized activities specifically do not promote belief or conviction. On the contrary, ritualized practices afford a great diversity of interpretation in exchange for little more than consent to the form of the activities.”

African triumph in 46, when 22,000 dining couches were laid out for the People.¹⁷⁹ Yet these were extraordinary events, and we must remember that routine life for nonelites at subsistence or near-subsistence level was excruciatingly demanding; the business of day-to-day existence and survival in that harsh environment meant that most people would necessarily have attended public religious ceremonials only as they were able. More important still is evidence for a fairly independent nonelite culture at Rome. As Nicholas Horsfall has observed, “The *plebs* are re-acquiring a powerful role in late republican politics . . . , and not without difficulty there begin to emerge the outlines of a ‘parallel’ culture, in its own way rich, varied and robustly vigorous: it has little to do with those literary texts which have bequeathed to us such a magnificent set of cultural and social blinkers . . . , but rests rather on theatre, games in various senses, music, songs, dance, memory and has amply demonstrated its ability to survive almost unaltered at least into late antiquity.”¹⁸⁰ This “parallel culture,” of course, would have included religious culture.

The preceding observations serve to reinforce what I think should by now be obvious: while the People played a formal role in some religious matters, we cannot conclude from this that the average person on the street would necessarily have understood, or have cared to understand, the fine points of the priests’ ritual duties. The fact that most nonelites were at best functionally literate might seem to make this point self-evident, but we must acknowledge the many alternative ways in which nonelites can gain rather sophisticated knowledge in predominantly oral cultures.¹⁸¹ Although I have argued that attendance at all, or even most, public enactments of civic polytheism would have been impracticable for many nonelites, we should be wary of discounting the power of *rumor et fama*, the spread of knowledge about public ritual performances by word of mouth, in an oral society such as republican Rome.¹⁸² Cicero, for example, in mentioning pontifical secrets, acknowledged that some details of pontifical law leaked out to the populace and that augural regulations were sometimes revealed to the People in *contiones*.¹⁸³ Yet it still seems to be the case that nonelites left details of religious procedures to the priests, who were, after all, recognized experts in these matters. As Denis Feeney notes, “For the practice of religion . . . lack of systematic inculcation of knowledge was irrelevant. Much of what a Roman ‘knew’ about religion

¹⁷⁹Plut. *Crass.* 12.2–3; cf. Plut. *Sull.* 35.1–2 (Crassus); Plut. *Caes.* 55.2, with further references at Broughton, *MRR* 2.293. On public meals, see Versnel 1970: 119.

¹⁸⁰Horsfall 2003: 66–67.

¹⁸¹On this point, see Horsfall 2003 *passim*; cf. Toner 2009; Wiseman 2009; Knapp 2011.

¹⁸²Cf. Cic. *Dom.* 4.9: popular discussion (*populi sermo*), with O’Neill 2003a on *circuli* and *circulatores*. Polybius (29.1.1–3; cf. 3.20.5), provides evidence for mid-second century, non-elite political discussions on the streets of Rome.

¹⁸³Cic. *Dom.* 15.39; 46.121; 54.138. The antiquarian Veranius (late republican or Augustan) wrote a book on *auspicia* observed at popular assemblies (Festus 366 Lindsay).

was ‘performative knowledge,’ requiring no ‘theoretical justification,’ instilled in the course of innumerable domestic and civic ceremonies which the citizen would have endured or enjoyed by the time he reached adulthood.”¹⁸⁴ I would only add to this that such “performative knowledge” would have varied from person to person, and would rarely, if ever, have included a sharp appreciation of ritual prescriptions and protocol of the state religion on the part of nonelites.

Finally, there is evidence for nonelites’ independent religious practices. The Bacchanals provide only the most stunning example. However we are to interpret the establishment’s lashing out against the cult in 186, it is abundantly clear that Bacchic devotees were acting independently of any official religious channels. We have already considered evidence for nonelites’ religious autonomy in the harrowing year 213, when the authorities had great difficulty in clearing the Forum and removing an unsanctioned *adparatus sacrorum*, which had been set up there. Indeed, in the case of the Gracchi, it may not be inappropriate to speak of subaltern religious resistance. Following C. Gracchus’ murder, when Opimius dedicated a temple of Concord, outraged Gracchan supporters soon defaced it with ironic graffiti. The places where the Gracchi died became hallowed ground for some, where the People defiantly offered prostrations, divine honors, and sacrifices to their champions and heroes.¹⁸⁵ Our literary tradition, though dominated by Cicero and reflecting the self-justification of the *optimates* regarding the deaths of the Gracchi, still gives some clues to the People’s view, with Cicero confessing that the murder of Tiberius Gracchus was so polarizing that it divided the state into two.¹⁸⁶

The tribunates of the Gracchi are among our most poignant republican examples of the independent role of the People in revolutionary events and of politicians’ recourse to ineffectual religious arguments before the populace in times of political disintegration. We have another interesting case of the People using religious arguments for its own advantage in the disturbances following the Gracchan revolution. When the tribune L. Appuleius Saturninus in 100 met obstruction from the urban plebs for his agrarian law concerning land formerly held by the Cimbri in Gaul, the city crowd cried out that thunder had been heard in the *comitia*, and that therefore the legislative agenda for that day could not proceed.¹⁸⁷ And of course, reaching back to the first days of the Republic we must remember the Aventine hill

¹⁸⁴ Feeney 1998: 138.

¹⁸⁵ Liv. 25.1.6–12 (*adparatus sacrorum*). The general story of the Gracchi is told in the principal accounts of Plutarch and Appian; see also Broughton, *MRR* 1.516–23; Plut. *C. Gracch.* 18.3, for Gracchan shrines, with Flower 2006: 76–81, “[T]his popular cult . . . shows the nature of plebeian culture, a culture that had its own rituals, images, and venues of commemoration and would emerge to challenge the culture of the *nobiles*, especially in the realm of collective memory” (80).

¹⁸⁶ See *Rhet. Her.* 4.22.31 (*virum rei publicae amantissimum*); cf. 4.55.68 (*ille nulla voce delibans insitam virtutem*); Sall. *Jug.* 31.7, 42.1; Cic. *Resp.* 1.19.31, with Wiseman 2009: 177–210.

¹⁸⁷ App. *BC* 1.30, ὁ πολιτικός ὄχλος (“the politicized mob”), with Broughton, *MRR* 1.575–76.

as the symbolic site of plebeian resistance, with the temple of Ceres, Liber, and Libera countering the Capitoline temple of Jupiter, Minerva, and Juno.¹⁸⁸

In addressing the question of nonelite religious autonomy, we must also consider the burgeoning population of non-citizen inhabitants of Rome, and their peculiar religious practices. Even more so than in the case of the nonelite, urban-dwelling citizen, the private religious practices of the foreign resident at Rome would have been beyond the reach of priestly authority. In discussing the rites of the foreign import Cybele, Dionysius of Halicarnassus emphasizes the regular onslaught of non-Roman immigration into Rome, and these peoples' continuing observance of their traditional religious practices.¹⁸⁹ The demographic consequences of the magnetism of the imperial metropole were not recent developments of the Augustan age. Polybius, for example, in the mid-second century remarked on the horde of Greek intellectuals who had flocked to the city in the aftermath of the victory at Pydna in 168.¹⁹⁰ The unwieldy and growing number of inhabitants in Rome itself during the Middle Republic—both nonelite citizens and resident aliens—ensured that the urban populace had plenty of leeway for its own religious expression. And so we should beware of narratives that treat Roman religion as a stable and unified entity shared to the same degree by all social classes, and think of multiple religious identities among nonelites, some of which would have been more or less independent of the state religion. We should thus heed the salutary precautions of the editors of a recent study of the narrative interrelationships of history and religion, “[T]hese narratives are in contradiction to the ambiguity and ambivalences which obtain in the field of religion. To be more precise, such constructions of clear-cut and unified identities obscure the analysis of the processes, functions and forms of religious practices and beliefs shared beyond the boundaries of ‘religions.’ In fact, many areas of the world were and are home to multiple (or rather indistinct) religious identities.”¹⁹¹

Let us sum up the argument thus far concerning the People in the city and their involvement with official ritual practices of the state religion. Regarding nonelite, urban citizens, we have seen that they had a formal role in many religious matters, but I have argued that they were largely on their own in satisfying their physical, psychological, emotional, and spiritual needs; in other words, in personal spiritual terms Rome was a self-help society. I have also

¹⁸⁸ Long ago Le Bonniec (1958: 293), referred to the temple of Ceres, Liber, and Libera on the Aventine as the “copy and antithesis” of the temple of the Capitoline triad (*le calque et l'antithèse*). But see now Mignone 2016, challenging the idea of the Aventine as a “plebeian ghetto.”

¹⁸⁹ Dion. Hal. *Rom. Ant.* 2.19.3.

¹⁹⁰ Polyb. 31.24.6–7; Plut. *Aem.* 6.4–5, 33.3; cf. Champion 2004a: 204–14.

¹⁹¹ Otto, Rau, and Rüpke 2015: 8. The idea of Roman religion as a stable and unified entity was fostered in earlier scholarship, exemplified, for example, in the title of W.W. Fowler's *The Religious Experience of the Roman People* (1911); as if “Religious Experience” and the “Roman People” were unproblematically stable and uniform.

maintained that most nonelites (and many elites, as well) would have had little understanding of, and perhaps little interest in, the fine details of elite ritual prescriptions of the state religion. They left the formal mechanisms of maintaining the *pax deorum* to the religious authorities. In terms of what we can call private religious expression, they had considerable autonomy, which the government had neither the means nor the will to curtail on any ongoing basis. The various threads of the discussion thus far presented in this section raise a crucial question. How, then, are we to understand the nuanced complexities, the fastidious preparations, and the exacting performances of elite orthopraxy?

We have evidence for an arcane, secretive, and guarded aspect of priestly knowledge, and in concluding this chapter I would like to explore its implications for what ritual practices meant to the elite priests who performed them. What are we to make of the secret books of augural law, the pontifical books, the famous Sibylline Books themselves, all of which were apparently carefully guarded by the religious authorities, not to mention the fascinating allusions in our sources to the *augurium salutis* ("augury for safety and well-being"), Rome's 'secret name,' or the mysterious contents of the *penus*, or storeroom, of the *aedes Vestae*?¹⁹² Knowledge is power, and we might think that secret religious knowledge monopolized by elites was all the more powerful as an instrument for political and social control of nonelites. As we have seen, after all, Livy says that in the aftermath of the Gauls' capture of Rome in the early fourth century, the Senate decreed that records of sacred rites be the exclusive preserve of the pontiffs, so that they might hold the populace in subjection through religious fears.¹⁹³ But closer examination gives us pause.

Scholars, ancient and modern, have been struck by the precision, meticulousness, and punctiliousness of Roman magistrates' and priests' performances of ritual formulaic requirements and sacrificial protocols.¹⁹⁴ Prayers needed to be exactly worded in order to have any chance of being efficacious, and mispronounced or misspoken words endangered the *pax deorum*.¹⁹⁵ All the names a god or goddess could be known by must be

¹⁹²Cic. *Dom.* 15.39, on the inaccessibility of augural books (*libri reconditi*); Linderski 1986: 2242 and nn.378–80, on pontifical *libri* and *commentarii*. On the *augurium salutis* and Rome's secret name, see Plin. *HN* 3.65; Festus 14–15 Lindsay; also Plut. *Mor.* 278f–279a; Macrobi. *Sat.* 3.9.3; Serv. *Aen.* 1.277; Plin. *HN* 28.18, with Linderski 1995: 496–523; Rüpke 2007: 132–34; cf. Cic. *Har. Resp.* 17.37 (it is not permitted to know the real name of the Good Mother—*vetusta occultaque*). On the *penus aedis Vestae*, see Plut. *Cam.* 20.3–6; Festus 296 Lindsay, with Wildfang 2006: 17–18. Only Vestals and the *sacerdos publicus* had access to the sanctuary of Ops, located between the *sacra via* and the temple of Vesta (Varro, *Ling.* 6.21; *CIL* 6.32482); Wissowa, *RK*² 203 and n.6, identified the *sacerdos publicus* as the Pontifex Maximus.

¹⁹³Liv. 6.1.10–11; see Gordon 1990 for a forceful assertion of this view.

¹⁹⁴Valerius Maximus (1.1.8) remarks on the scrupulous care accorded to even minor items of religious significance. According to Cicero (*Har. Resp.* 10.21), the *epulones Iovis* reported all faults of ceremonial omission and commission to the *pontifices*.

¹⁹⁵See Hickson Hahn 2007.

perfectly pronounced, and prayers might be addressed to the deity whose name was unknown, such as “or by whatever other name it is right to call [the god]” (*sive quo alio nomine fas est nominare*), or “whether thou be god or goddess” (*sive deus sive dea*).¹⁹⁶ Moreover, certain priestly and magisterial behaviors create serious interpretative problems from a functionalist, or elite-instrumentalist, perspective. For example, Livy relays that in 211 the *flamen Dialis* C. Claudius misplaced the entrails of a sacrificial victim and as a result abdicated from his office.¹⁹⁷ As augur, M. Claudius Marcellus was carried around public spaces in a draped litter in order to avoid seeing ill omens.¹⁹⁸ In 192, the Aetolian statesman Archidamus mocked T. Quinctius Flaminius for his obsessive religiosity in taking auspices while battle was raging.¹⁹⁹ In 168, the consul, C. Licinius Crassus, entered the sacred enclosure (*templum*) without having taken the auspices on the day for the assembly of his legions. The augurs declared that the day had been unlawfully set. Crassus accomplished nothing, spending the winter in Gaul with the allied troops, while his legions remained in Rome because of his error.²⁰⁰ As consul, Tiberius Sempronius Gracchus committed a ritual mistake (*vitium*) in presiding over the elections for 162. He sent a letter to the augural college; it reported to the Senate; and the Senate pronounced that the consuls should step down from their magistracy.²⁰¹ It is difficult to understand any of this as a function of elites’ desire to influence and control nonelites through their religious behaviors.

While public ritual was a daily fact of life, touching the lived experience of any inhabitant of Rome, elite or nonelite, citizen or resident alien, it seems to have especially permeated the lives of elites.²⁰² Their exacting observances of religious duties certainly helped to maintain political order and social hierarchies, but that fact does not really tell us much about what the religious authorities themselves experienced in their ceremonial and ritual practices. Much like the Chinese emperor Hongli’s funeral preparations with which

¹⁹⁶ Cato *Agr.* 139, with Alvar 1985: 249–51; Liv. 7.26.3–4; Serv. *ad Aen.* 2.351, with Alvar 1985: 259; Plin. *HN* 28.11, cf. 18; Scullard 1981: 25–26; Dumézil (1966) 1996: 1.39. Cf. Liv. 31.5.4–5 (200): war declared against Philip V; Senate passes decree that consuls should sacrifice full-grown victims to whatever gods seemed best to them; 36.21.9–10 (191): after Cato reports success at Thermopylae against Antiochus and Aetolians, three-day thanksgiving (*supplicatio*) proclaimed; praetor ordered to sacrifice forty full-grown victims to whatever gods he saw fit; 36.37.1–6 (191): numerous portents; *haruspices* and Sibylline Books consulted; fast in honor of Ceres; sacrifice to whatever gods *decemviri* should choose. For further discussion of such religious formulae, see Alvar 1985; cf. Gustafsson 2000: 129–140; Scheid 2005: 58–83, esp. 62n.17, 69, 72–73; also 146.

¹⁹⁷ Liv. 26.23.8.

¹⁹⁸ Cic. *Div.* 2.36.77–78, with Linderski 1986: 2153; cf. 2159–60; Marcellus’ consulate in 215 was annulled due to a thunderclap (Liv. 23.31.13–14; cf. 8.23.13–17; 45.12.10).

¹⁹⁹ Liv. 35.48.13 (Archidamus); see Morgan 1990: 30–31.

²⁰⁰ Liv. 45.12.9–12.

²⁰¹ Cic. *NatD.* 2.11; cf. *Div.* 1.17.33; 2.35.74; Val. Max. 1.1.3; Plut. *Marc.* 5 wrongly makes Gracchus write directly to the Senate, leaving out the *collegia*; cf. Linderski 1986: 2160n.39; 2239n.369.

²⁰² For a list of religious festivals and the calendar, see Scullard 1981: 51–212.

this study opened, the astonishing and scrupulous efforts of priests in conducting their ritual performances would seem to have long before reached the point of diminishing returns, if we are to think solely about their effect on nonelite observers. Who noticed and made an issue of the *flamen Dialis*' mishandling of the entrails of the sacrificial victim, or whose concern was it when the urban praetor, M. Caecilius Cornutus, was charged with having performed auspication unsatisfactorily (*non satis diligenter*)?²⁰³ We cannot think that every instance of this sort indicates jockeying for political position and advantage among elites in the eyes of the *populus Romanus*. Why does Cicero make it a point to mention when he is before an audience of fellow-senators that he is not drawn to any type of literature that in any way detracts from religion?²⁰⁴ Is it conceivable that he did so because (even at this late date) many, perhaps most, of his auditors believed the demands of orthopraxy to be a deadly serious business?

CONCLUSION

Reinvigorated debate on popular political powers—the scholarly controversy on “democratic Rome”—invites reconsideration of the People's role in the state religion, as well as of the old idea of elite domination of the *plebs urbana* through religious manipulation. We have considered the nature and reach of elites' priestly authority, and argued that we can easily overestimate it. This is the case first and foremost because both the composition of the People who formally acted in resolving religious disputes and the nature of their involvement must be qualified. First, in referring to the People we actually mean a portion of those citizens living in the city and its immediate environs, and they could only have attended and participated in public religious events as the hard demands of daily living allowed. Second, the number of citizens living at a considerable distance from the city increased as Rome expanded as an imperial power, and these people would rarely have had any direct involvement with practices of the state religion in the capital. Any given public performance of ceremony, ritual, or sacrifice thus reached only a small fraction of the total citizen population. Moreover, the government possessed neither the mechanisms nor the will-power to police the religious practices of the burgeoning population of nonelites in the city in any sustained way.

From a structural perspective, the uncoordinated, nonhierarchical relationships of various priesthoods and the fragmentation and diffusion of

²⁰³ Cic. *Fam.* 10.12.3 (7 April 43); cf. Cic. *Div.* 1.36.78; Liv. 8.30.2; 41.18.14; Linderski 1986: 2177–80, on augural antiquarian disputes on the meaning of *praetores maiores et minores*; and 2286 (with n.556): “There is ample reason to think that the ritual of observation and interpretation of auspical birds was much more complex than is commonly admitted.”

²⁰⁴ Cic. *Har. Resp.* 9.18–19; cf. 28.62–63.

religious authority are not what we might expect to find in a religious system designed for elites' political and social control of nonelites. To the degree that we can talk about the center of republican religious authority, it would appear to have been the Senate, as executive coordinator of official religious actions. And yet the case has been made that as a collective political authority the Senate's powers were themselves fragmented and diffused, and that the absence of a definite "power-center" made its influence all the more effective, so long as the republican political system was functioning. But the analogy with religious institutions—the idea that the obscurantism of "center-less" power made the priesthoods all the more effective—breaks down in a structural sense, since here we do not even have the kind of organization, integration, and hierarchy embodied in a membership with a unified corporate identity and meeting as a single body under the procedural guidance of a magistrate, which we find in the Senate.

There are nonetheless few things in Roman history that we can be as sure of as the fact that religion was an integral part of republican political life. Senators and priests were by-and-large the same men, and in their former role they regularly disputed religious matters before the populace in the political arena. In such religious controversies in the public sphere, the People were frequently the final arbiter in a formal sense. In actual practice, however, they relegated the details of religious protocol and orthopraxy to the experts in the priestly colleges. Nonelites, therefore, formally played an active role in the development and maintenance of public religious practices, but in the day-to-day business of living most were probably indifferent to the fine points of religious injunctions. As far as elites' disputes involving religious matters conducted on the political stage go, it is difficult to see how these public disagreements and arguments over points of religion could have reinforced a "center-less" elite, religious power, or bolstered nonelites' confidence in the authorities' religious knowledge and competence.

For nonelite citizens, both those living in Rome and those outside the city, official religious institutions did not appreciably alleviate the harsh conditions of daily living, thereby leaving individuals to fend for themselves in times of physical, psychological, emotional, and spiritual crises. Although the *populus Romanus* had formal powers in religious matters, nonelites were not particularly well-informed about, and probably not particularly interested in, fine-points of priestly ritual practices of the state religion, willingly leaving the minutiae of formal religious rules and protocols to priests. Nevertheless, nonelites possessed considerable autonomy in the sphere of private and unofficial religious observances, for which there is ample evidence. If we accept this much, we are raising an important question. How, then, are we to explain the priests' obsessive concerns with the most exacting demands of orthopraxy? Any version of the elite-instrumentalist model cannot easily accommodate this question. Another explanation is

more satisfying; elites believed in their religion, in the sense in which I have defined “belief” in the first chapter. The following two chapters will test this proposition in relation to Rome’s military operations (chapter 3), and the interrelationships between developments in the military and domestic spheres, including Rome’s international relations and its contacts with foreign religious cultures (chapter 4).

THREE



Militiae: Commanders, Elite Religion, and Fear of Military Disaster

War is a sweet thing to the inexperienced, but a man who has experienced its onslaught fears in his heart beyond measure.

—Pindar, frg. 110

Pindar's description of the psychological condition of the man at war suits not only the rank-and-file legionary soldier in the republican army, but also—and perhaps more aptly—the elite field-commander. Such is the basic proposition of this chapter, which further argues that a psychological state of intense fear, uncertainty, and anxiety is likely to have underlain many an elite's religious behaviors in the military realm. The army constituted its own culture, and its religious practices and expressions had their own unique characteristics. Just as I have argued for a fairly independent, nonelite religious culture in the city of Rome itself in the preceding chapter, we can think of a more or less independent religious culture in the military sphere.¹ Here, in the battlefield experience, where the stakes could hardly have been higher, illustrations of elite belief are striking and pronounced. Recent directions in the scholarship on Roman imperialism make it easier for us to see this, and so we begin by considering some of this revisionist work within the fields of the study of imperialism generally and Roman imperialism particularly, in order to prepare the ground for the discussion that follows.

The study of Roman imperialism is complicated by the origins and development of the modern term “imperialism” itself. Romans had a vitally and centrally important concept, *imperium*, which basically meant the power to command, and by extension the geographical area where such a command would be exercised.² Modern conceptions of imperialism are built upon that

¹On this point, see Horsfall 2003: 103–115.

²See Lintott 1981; Richardson 1991; cf. Richardson 1996: 310, for a description of the Roman province as “a means of enabling war to take place”; Kallet-Marx 1996: 22–29, arguing for consistency between Polybius' conception of empire and the Roman language of *imperium*; and Richardson 2009 for a study of the Roman idea of empire from the third century B.C.E. to the second century A.D.. The opening paragraphs of this introduction are based on the discussion in Champion and Eckstein 2004: 1–10.

Latin word, but they present the danger of anachronisms and historical distortions when applied to the ancient world. This is due, in part, to the fact that the term "imperialism" is a relative new-comer to the English language. As late as 1878, for example, Lord Carnarvon could observe that it was a newly coined word for him.³ But a more significant problem of the term for studying ancient interstate realities concerns its underlying presuppositions and common usages.

As a concept, "imperialism" gained currency in academic discourse through the writings of three titanic figures: J. A. Hobson, V. I. Lenin, and J. A. Schumpeter. For both Hobson and Lenin, imperialism was a phenomenon of international politics of modern European countries and the United States in the wake of the industrial revolutions of the eighteenth and nineteenth centuries. The capitalist mode of industrial production led to government-backed quests for new outlets for products and new fields for capital. The result was imperialism, and according to Hobson and Lenin, the precapitalist world could not have produced it. Obviously, their imperialisms cannot describe the growth of Roman interstate power without extensive modification. After all, in antiquity we are dealing with a predominantly agrarian society and precapitalist economy, with few industrial products in need of markets and relatively little capital available for investment.⁴ The economist Schumpeter, in the sharpest of contrasts with Hobson and Lenin, opposed the idea that imperialism was the exclusive preserve of modern, industrialized, capitalist economies. On the contrary, he viewed it as an atavistic holdover of aggressive, militarized social structures of primitive times, famously defining it as "the objectless disposition on the part of a state to unlimited forcible expansion." Schumpeter's formulation at first glance appears to be more usable for the ancient historian (as we shall see presently, it is complementary with the dominant interpretative position in scholarship on Roman imperialism), but its generality and vagueness do not provide much analytical power.⁵

Despite their differences, the theories of Hobson, Lenin, and Schumpeter all fostered a critical focus on imperial centers or metropolises as the key to understanding imperial processes. Their ideas set the agenda for modern study of imperial development, according to which one must exhaustively

³On the origins and development of the concept, Koebner and Schmidt 1964 remains a valuable study.

⁴These are among the reasons why some historians would like to jettison the term "imperialism" entirely, preferring the word "hegemony" rather than "empire" to describe Roman interstate power (despite other anachronistic dangers which are inherent in the former term, with its Gramscian associations).

⁵Schumpeter 1951: 7. Finley 1981a: 45, provided a usefully concrete six-point typology for identifying and defining imperialism: (1) restriction of freedom of action in interstate relations; (2) political/judicial/administrative interference in internal affairs; (3) compulsory military service; (4) payment of some form of tribute; (5) confiscation of land from other states; and (6) various forms of economic exploitation/subordination. The Roman Republic qualifies as an imperial state by all of his criteria.

analyze political, economic, social, cultural, military, and religious structures of the power-center—whether they pertain to Napoleonic France, eighteenth-century Britain, China of the Han Dynasty, or ancient Rome—to the relative exclusion of states and peoples it subordinates. For a long time, this almost exclusive focus on imperial centers, which international relations theorists have called the metrocentric approach, dominated study of empires generally. Scholarship on Roman imperial expansion was, and to a large extent still is, no exception. Within the metrocentric paradigm, there have been two competing interpretations of the origins and development of Rome's empire. Theodor Mommsen argued in the mid-nineteenth century that expansion was the direct result of security concerns, as Rome acted defensively against aggressive neighboring states. Rome's unique adjustments and responses to external threats resulted in the *imperium Romanum*. Mommsen's towering authority ensured that his interpretation would have lasting influence, and so it did. In the early twentieth century, the American Tenney Frank expounded the idea for Anglophone scholars, and shortly afterwards in France, Maurice Holleaux argued in his magisterial book, *Rome, la Grèce et les monarchies hellénistiques*, that Rome was uninterested in Greek affairs but nonetheless drawn into a series of conflicts that resulted in empire.⁶

In strong opposition to the idea of defensive imperialism, the early twentieth-century Italian historian Gaetano DeSanctis and his followers, similar to Schumpeter, maintained that Rome was uniquely militaristic and pathologically aggressive, driven by an insatiable will to power. In more recent times, William V. Harris forcefully made the case for a Schumpeterian, bellicose Rome, and his influential book, it is safe to say, demolished older views of defensive imperialism and has remained an influential account of the rise of Roman international dominance for over a generation.⁷ These are diametrically opposed reconstructions—Romans as reluctant, just-minded imperialists or relentlessly grasping predators—but they both operate within a metrocentric paradigm: Rome and its culture are the primary focus of analysis.

Political scientists and international relations theorists have suggested other models for understanding imperialism, and recently ancient historians have begun to employ these alternative perspectives, loosening somewhat the grip of the metrocentric paradigm for the study of Roman imperialism.⁸

⁶Frank 1914; Holleaux (1921) 1969; see the excellent discussion by Linderski 1995:1–31. For a recent formulation of the defensive imperialism thesis, see Kostial 1995.

⁷Harris 1979; cf. Raaflaub 1996. For a concise account of modern scholarly interpretations of Rome's rise to power, see Gruen 1984: 5–7, and *passim* for a rebuttal of Harris' thesis.

⁸This change is reflected in recent studies addressing the vexed problem of "Romanization," with the newer scholarship considering peoples coming under Roman political control as autonomous agents adapting Roman culture to their own purposes, rather than as passive ciphers, who have a pre-made, homogeneous Roman culture bestowed upon them. See, for example, Woolf 1998; Revell 2009.

One such alternative is the so-called pericentric approach, which explains imperial expansion by focusing on fringe areas in relation to imperial centers and on influences on imperial processes of people who eventually become subjected. The basic idea here is that conditions on the periphery often arise that practically invite intervention of a powerful center and an extension of its power. Peripheral “invitations” can take various forms: (1) weak states seeking protection from aggressive neighbors; (2) weak states in internal crisis, with one side or another requesting help from an imperial center; or (3) relatively strong states that overplay their hand and through their aggression provoke a chastening response from an imperial metropole. The foundational study for periphery-focused explanations of the development of imperial power is Robinson and Gallagher’s classic book on European nation-states’ expansion into Africa.⁹

The pericentric perspective has great explanatory power for certain imperial moments in Roman history, such as the momentous Mamertine crisis in 264 that led to Rome’s first military venture overseas.¹⁰ For centuries Greek powers, the most formidable of which was Syracuse, dominated the eastern part of Sicily, while Carthaginians held sway in the west. In their quests to increase power and territorial control on the island, Greeks and Carthaginians had for long fought one another to a virtual stalemate, but when Campanian mercenaries treacherously seized Messana, the fragile geopolitical equilibrium was shattered. King Hiero II of Syracuse came to the assistance of the rightful citizens, while the Carthaginians answered the plea for help from the beleaguered Campanians, who styled themselves “Mamertines” (“sons of Mars”).¹¹ Although the sequence of events is unclear, at some point the Mamertines appealed to Rome and Carthage for assistance against Syracuse (subsequently Carthage and Syracuse temporarily became strange bedfellows aligned against the Roman intervention).¹² The Mamertines, then, “invited” the Romans into Sicily, which after a war lasting nearly a quarter century, led to Roman control of the island.

A third avenue for research adopts a broader perspective, enlarging the analytical canvas to encompass both imperial metropolises and peripheries. It includes all players involved in interstate relations through politics, diplomacy, and warfare as integral units in a system of states. Shifting the focus away from conqueror and subject, practitioners of this approach aim to understand imperialism in a more comprehensive manner by revealing the

⁹Robinson and Gallagher 1961; cf. Robinson 1972.

¹⁰Polyb. 1.10.1–11.4, with Eckstein 1987: 73–101; Champion 2013 on Polybius’ representation of the events at Rome in 264; cf. Champion 2007a for a pericentric interpretation of Roman intervention at Achaean Dyme in 144/43 (*Syll.*³ 684).

¹¹See Diod. 22.7.4 (Mamertine alliance with Carthage).

¹²For sources, see Broughton, *MRR* 1.203; Walbank, *Comm.* 1.57–58; for Polybius’ narrative of the events, see Petzold 1969: 139–49; Champion 2004a: 105–111.

dynamics of complex and wide-ranging international systems. Eschewing explanations based on dispositions of individual states, scholars working in this tradition, who call themselves “neo-Realists,” see the default condition of such systems as one of anarchy, with frequent wars and the rise of empires as results of interstate conditions. Their world is a grim one. In competitive anarchic systems, all states seek to maximize their own power and security within general conditions of violence and potential violence. Warfare is therefore a normal occurrence; that is, a normative way of settling crises in foreign relations, especially in the absence of effective international peace-keeping agencies. States that cannot respond militarily to pressures inherent in the system risk annihilation.

We can perhaps gain better understanding of these various methods of studying imperial development by way of analogy with some of the social sciences. Systemic approaches to empire are somewhat like social psychology or sociology insofar as the system is determinative of individual conduct, strongly encouraging certain types of behavior (in this case, militarism). The metrocentric and pericentric paradigms, on the other hand, are more like individual psychology in their orientations.¹³ Arthur M. Eckstein has recently employed a systemic approach to the study of the ancient Mediterranean world in general and the rise of the Republic in particular.¹⁴ As he argues, Rome certainly existed in an environment conforming to the bleakest visions of state behavior of the international-systems theoreticians. Military disasters such as the Allia, Trasimene, Cannae, or Arausio dramatically underscore the point, but it is easy to overlook the fact that military defeat was not a rarity—the Romans suffered *ninety* severe defeats on the battlefield during the Republic.¹⁵

The preceding summary of traditional interpretations and newer developments in the study of Roman imperialism sets the stage for this chapter. The neo-Realist model of interstate systems challenges deeply ingrained and perhaps largely unconscious assumptions about Roman military superiority, and we can extrapolate from it the corollary idea that fear, uncertainty, and anxiety would have underlain Rome’s foreign policy and military actions within its brutally harsh international environment, creating a new perspective from which to view elite religious practices during military campaigns. The growth and extension of military might was not an inexorable and foregone conclusion. Within the context of the harrowing interstate anarchy in which Rome strove to achieve hegemony, praetors, propraetors, consuls,

¹³Waltz 1979 is the foundational document for the neo-Realist theory of international anarchy and the sociological approach to understanding international conflicts; cf. Doyle 1986: 22–30.

¹⁴Eckstein 2006; Eckstein 2008, with Champion 2009b. Burton 2011 seeks to mitigate this brutal, zero-sum game by stressing Roman diplomatic language and practices based on *amicitia*, in a “Constructivist” response to the neo-Realist model.

¹⁵See Rosenstein 1990: 179–204, for a catalogue of *imperatores victi*.

proconsuls, and dictators on campaign cannot have been as assuredly self-confident of victory as we might think, or as our sources sometimes suggest.¹⁶

Since the publication in 1976 of John Keegan's seminal work, *The Face of Battle*, we have come to a greater appreciation of the horrific experiences of battle, both for the field-general and the rank-and-file soldier. In ancient military campaigning, numerous factors placed enormous psychological burdens and emotional stress on commanders: precarious lines of supply and communications, incomplete or faulty reconnaissance information, unpredictable movements of enemy forces and the vulnerability of baggage trains to their attacks, uncertain weather conditions and difficult terrain, unstable army morale and the ever-present danger of mutiny on the march or in camp, threats of famine or disease decimating military manpower, and, above all, considerable periods without official directives from the Senate and the consequent demand that field-generals take executive military decisions entirely on their own initiative.¹⁷ While we occasionally get glimpses of the terrors of battle for the elite field marshal, it is generally not the style of Roman historiography to dwell on interior, psychological states of Roman commanders. Consequently, we must tease out the argument by way of inference based on the circumstances in which they operated. Considering such perilous conditions, we can perhaps make better sense of Cicero's comment that the Romans do absolutely nothing in war without first examining the trails of sacrificial victims for divine guidance.¹⁸

Receiving favorable omens before engaging in armed conflicts certainly bolstered soldiers' courage and resolve, but as several case studies at the end of this chapter suggest, meticulous attention to demands of orthopraxy in military contexts had the same function for the elite general. Religious demands and prescriptions, when properly observed and performed, mitigated the terror and uncertainty of battlefield encounters for both the rank-and-file soldier and the military commander. We might even consider the ameliorative psychological and emotional effects of orthopraxy in battlefield situations to have been greater for the field-commander than for the common legionary soldier in light of the fact that the latter typically served for many

¹⁶Cf. Helgeland 1978: 1473, writing of the experiences that made the Roman army "the dreaded military machine it was." For a good, concise discussion of this commonplace, and erroneous, view of the Roman army as an invincible "military machine, its components the impeccably disciplined legions who never deviated from their perfect formations," see Goldsworthy 1996: 1–11 (quotation from pg. 8); cf. 283–84, and already Messer 1920 on the frequency of mutiny in the Roman army.

¹⁷Onasander, *Stratēgikos*, 11.6, advises the general never to turn away anyone bearing any sort of information regarding his military disposition; to do otherwise is to court disaster. For unpredictable weather conditions, see Polyb. 9.16; for logistical problems of feeding armies, Polyb. 9.24 (Hannibal contemplates cannibalism); cf. Veget. *Mil.* 3.3, *saepius enim penuria quam pugna consumit exercitum, et ferro saevior fames est* ("starvation consumes an army more often than battle, and hunger is more savage than the sword"). For logistics and food supply in republican armies, see Erdkamp 1998; Roth 1999.

¹⁸Cic. *Div.* 1.43.95; cf. 2.36.76.

campaigning seasons, in time becoming a quasi-professional; whereas high command personnel were relative amateurs. Moreover, mistakes in carrying out religious imperatives on the part of responsible priests could deflect blame from the general in the case of defeat, providing psychological ballast, as well as reputation- and career-saving explanations for military failures.¹⁹

The opening section begins with further consideration of the idea of international anarchy as the stage for republican warfare and diplomacy. If any notion of military invincibility is far wide of the mark (and the product of teleological foreshortening), and it is true that Rome existed in a brutally competitive and violently aggressive international system, what are the implications of this for our interpretation of elite religious behaviors in the military sphere? A neo-Realist reconstruction of the ancient Mediterranean interstate system provides new perspectives, for example, on the psychological dimensions of the perplexingly rigid and precise layout of the Roman military encampment, so astounding to the Greek historian Polybius that he devoted a large part of his Book Six to it. Certainly the republican army camp was designed to maintain soldiers' discipline and obedience to a hierarchically structured military command. But to what extent did elite religious practices in the military camp or on the field of battle serve this same end? Does any version of the elite-instrumentalist interpretation of religion best explain the general's consultation of priests, sacrificing of victims, and reading of omens both before and during battle? In attempting to answer these questions, how much stress should we lay on the fact that commanders were amateurs, not professionals? Finally, what bearing does the fact that allied contingents supplied well more than half of Rome's total military manpower throughout our period have on these questions? The following sections take up these issues, and several case studies of the religious behaviors of field-commanders in the concluding section further explore these and other problems.

I. THE ROMAN REPUBLIC AMIDST INTERNATIONAL ANARCHY

The city of Rome began its life as a conglomeration of settlements struggling for survival in the plain of Latium, constantly on guard against nearly incessant raiding from neighboring hill tribes. Indeed, tradition said that the doors of Janus' temple were closed, which was only done when there was total peace, just twice from the beginnings of the city down to the time of the emperor Augustus: under King Numa and in 235, in the aftermath of the First Punic War.²⁰ During the monarchy, Romans battled nearby communities, such as the people of Alba Longa and the Sabines, for primacy in Latium.

¹⁹See Rosenstein 1990: 54–91.

²⁰Liv. 1.19.3, and further sources assembled by Broughton, *MRR* 1.223; cf. Hoyos 2007: 66 (on the third and second centuries), "Society was . . . war-permeated on virtually a permanent basis." For an overview of early Roman warfare, see Lendon 2005: 172–92.

Livy reports the kings' vows of several shrines and temples to the gods in return for victory in these local contests.²¹ According to him, the college of twenty fetial priests, two of whom would undertake elaborate ritual performances for declaring war, ensuring the maintenance of the *pax deorum* and the justice of Roman warfare (*bellum iustum*), was already in place in the regal period.²² There can be no certainty on this question, but it is clear that this priesthood, whose main concern was with ritual correctness for Rome's entry into war, was among the earliest. Its ritual procedure was common to all of the early Latin communities—indication of the centrality and ubiquity of warfare among them.²³

Once military activity extended beyond the boundaries of Latium, the fetial ceremony, which included casting a spear into the enemy's territory in order to nullify its power, became impracticable. A solution in the form of a legal fiction may have been found in the time of the Pyrrhic War in the 270s: a tract of land near the temple of Bellona was allegedly bought by a prisoner of war captured from Pyrrhus' army and marked off as hostile ground, into which the ritual spear could be cast.²⁴ In any event, the ritual itself was eventually secularized, with senatorial legates replacing priests in carrying out the religious imperatives in declaring war.²⁵ Polybius may have been referring to the fetial rite when he stated that traces of ancient Roman principles of warfare were still present in his day.²⁶

Livy presents an extraordinary instance of religious conservatism regarding fetial rites at the end of the Second Punic War. According to him, in 201 fetial priests took a flint stone and sacred herb from the citadel at Rome with them to Africa, so that when the "praetor" ordered them to strike the treaty, they should be able to do so according to ritual protocol.²⁷ It is possible that in 200 the consul P. Sulpicius Galba discussed with the *fetiales* how to

²¹Liv. 1.12.4–10 (Romulus' vow to Jupiter Stator in war against Sabines); 1.27.7 (Tullus Hostilius vows shrines to Panic and Pallor in war against Albans); 1.37.5 (Tarquinius Priscus' vow to Vulcan in war against Sabines); 1.38.7; cf. 1.55.1–2 (Tarquinius Priscus' vow to Jupiter Capitolinus in war against Sabines).

²²Liv. 1.24.4–9 (fetial treaty for battle of Horatii and Curiatii in time of Tullus Hostilius); 1.32.5–14 (fetial declaration of war under Ancus Martius). Dion. Hal. *Rom. Ant.* 2.72; Plut. *Num.* 12.3–5, credit Numa with creating the fetial priesthood; according to Cic. *Resp.* 2.17.31, Tullus Hostilius instituted the fetial college; Serv. *ad Aen.* 10.14; *De Vir. Ill.* 5.4; Liv. 1.32.5, opt for Ancus Marcius; see Watson 1993: 1–9. The fetials are last attested in the year 359 C.E. (Amm. Marc. 19.2.6).

²³See sources assembled by Broughton 1987: 58n.27; but cf. Rich 2007, who argues that warfare may not have been as frequent in the fifth century as our literary sources suggest. Rich 2013 treats many of the religious aspects of Roman warfare discussed in this chapter.

²⁴Reported by Serv. *Auc. ad Aen.* 9.52; cf. *O. Fast.* 6.205–208; Festus 30 (cf. 470) Lindsay; Suet. *Claud.* 25.5 (plot of hostile territory near temple of Bellona), with Bispham 2007: 55; Rich 2011: 204–209. Since neither Livy nor Plutarch mention this event, its historicity is not beyond question.

²⁵See Watson 1993, emphasizing legal, secular dimensions of fetial procedure, and maintaining that the gods were invoked as "judges" in war declarations; cf. Rawson 1991: 90n.59, for assembled references to earlier scholarship.

²⁶Polyb. 13.3.7, with Walbank, *Comm.* 2.416; cf. Champion 2004a: 144–69.

²⁷Liv. 30.43.9. Livy's use of the word *praetor* for the commanding general appears to be a deliberate archaism.

declare war properly against Philip V, and the Senate consulted them on the eve of the war against Antiochus III. Some scholars, however, have argued that in the early second century the fetials' activities were already usurped by secular *legati* and that the priests' status was by then diminished.²⁸ The ritual was revived later in the second century in the aftermath of the Mancinus affair in Spain, and in the following century Octavian employed it when he declared war against Cleopatra. As late as 178 C.E., the emperor Marcus Aurelius declared war by hurling a bloodied, ritual spear into the designated enemy territory by the temple of Bellona.²⁹ The fetial institution not only reveals overriding concerns with conducting righteous wars in the eyes of the gods, but also reluctance to give up even the most archaic of religious prescriptions for military actions, in this case reworking the requirements in order to make them feasible under the changed conditions of prolonged and distant warfare; and even adapting the institution to the political transition from Republic to Principate.

Let us return to the earliest republican community. Unpredictable, sporadic attacks from neighboring hill-tribesmen such as the Aequi, Volsci, and Aurunci continued throughout the first republican century, along with the security threat posed by powerful Etruscan states to the north. The early Republic existed in an interstate realm in which rival states had of necessity become, like Rome itself, highly militarized, bellicose, and diplomatically aggressive. Already under the kings, after considerable tests, Rome had been recognized as the most powerful member of the ancient, preurban Latin League.³⁰ Among these Latin-speaking polities, Roman supremacy was seemingly assured by victory over a Latin military coalition at Lake Regillus in 499 or 496. During the battle, the dictator A. Postumius Albus Regillensis vowed a temple to Castor in the event of success, and by the Cassian treaty of 493 a peace treaty and bilateral military alliance between Rome and the Latin states were established.³¹ But the alliance was always an uneasy one, despite

²⁸ See Rawson 1991: 89–93, and esp. 90n.59.

²⁹ Liv. 31.8.3–4 (Second Macedonian War); Liv. 36.3.7–9 (Antiochene War); Broughton, *MRR* 1.484, with Rawson 1991: 89–93 (Mancinus); Dio 50.4.4–5 (Octavian); Dio 72.33.3 (M. Aurelius), with Rüpke 1990: 105–109, 116–17, suspicious that much of the tradition on fetials, the *Speerwurf*, and the *columna bellica* is the product of Augustan propaganda. See Ogilvie 1965: 110–11, 127–33; Palmer 1970: 186–87 (arguing for 30 fetials); Mitchell 1990: 109–114; Dumézil (1966) 1996: 1.390–91; Gustafsson 2000: 25–29; BNP 1.111–112; Rich 2011; Rich 2013: 559–64. On the evolution of the fetial rites and Roman declarations of war, see McDonald and Walbank 1937: 192–97; Rich 1976: 56–60, 104–107; Rüpke 1990: 97–117; Rawson 1991: 89–93 (second-century revivalism). For an interesting study of the fetial priests' role in cases of mistreatment of foreign legates in the city of Rome, see Broughton 1987.

³⁰ For the early history of Rome and Latium, see Cornell 1995: 48–214; Smith 1996: 129–42, 150–223 (regional history based on the archaeological record); Forsythe 2005: 28–124.

³¹ Liv. 2.20.12–13 (vow to Castor); cf. Liv. 2.42.5 (dedication of temple of Castor and Pollux); 2.8.6–8 (dedication of temple of Jupiter Capitolinus); 2.21.2 (dedication of temple of Saturn); 2.21.7 (dedication of temple of Mercury); Dion. Hal. *Rom. Ant.* 6.94.3 (dedication of temple of Ceres); Cic. *Balb.* 23.53; Liv. 2.33.4, 9; Dion. Hal. *Rom. Ant.* 6.95.1–2 (Cassian treaty).

the founding of Roman and Latin colonies on territory gained through successful joint military endeavors. When the Romans were preoccupied with the looming threat of the Samnites, the Latin states rebelled in alliance with Volsci, Aurunci, and Campanians. The Latin League was dissolved after the Romans subdued the revolt in 338. Throughout its existence the so-called Latin League had no real political unity and was an unwieldy instrument for ensuring Rome's security within its own domain, possessing no means for mediating potential conflicts. It is noteworthy in this context that Livy reports disputes among Latin representatives at the annual religious festival on the Alban Mount as late as the early second-century.³²

It should come as no surprise, therefore, that from its earliest history the Roman political community was also a military community. According to ancient tradition, the most important of the citizen-assemblies, the *comitia centuriata*—which elected magistrates with *imperium* and formally ratified war declarations and peace treaties—was formed in the time of the next-to-last king, Servius Tullius. Servius supposedly rearranged the citizen tribes into classes, centuries, and age groups, and according to Livy and Dionysius of Halicarnassus, he also carried out the first census.³³ The citizen population was hierarchically ordered in rank and status according to wealth and property, and the principal aim of the reform was to create a more efficient army. The crucially important points for our discussion are the primacy of military concerns in the organization of the earliest republican political community, the indication that these concerns were already paramount in the time of the kings, and from the inception regular vows and dedications to the gods for military success.³⁴ The military character of the original centuriate assembly is patent in the requirement that it could only meet outside the *pomerium*, the sacred boundary of the city, on the Campus Martius, with a red flag waving on the Janiculum, and under the direction of a magistrate holding *imperium*, whose summons was called *exercitum imperare* ("to command the army").³⁵

The Romans may have adopted hoplite tactics and the phalanx battle formation during the monarchy.³⁶ Hoplite armies appeared in Tyrrhenian Italy sometime before 600, and the Roman community would have had little

³²Liv. 32.1.9; 37.3.4. For a good account of the aftermath of the Latin rebellion of 341, see Sherwin-White (1973) 2001: 38–95.

³³Census: Liv. 1.42.5; Dion. Hal. *Rom. Ant.* 4.15.6, with Forsythe 2007.

³⁴For fulfillment of military departure vows, see e.g., Liv. 45.39.10–12; Aug. *RG* 4.1, with Ziolkowski 1992, esp. 195–203; Orlin 1997, esp. 27–33, 45–75.

³⁵On the *pomerium*, see Rüpke 1990: 30–41. It is striking that Cicero (*Off.* 1.11.37), suggests that the words for "foreigner" (*peregrinus*) and "enemy" (*hostis*) were nearly synonymous in early Rome.

³⁶See references assembled by Cornell 1995: 435n.39, with the reservations of Rich 2007: 16–18, and Smith 2006: 286–90. See also Rawlings 1999, who considers the uncertain boundary between private raiding bands of aristocratic *gentes* and operations of state-armies in early republican warfare (*loc. class.*: Liv. 2.50.1–11, near total destruction of the Fabian *gens* in battle near the Cremera river in 477); cf. Forsythe 2005: 198–200; Smith 2006: 290–95.

choice but to respond to this new type of warfare. The hoplite battle experience was a terrifying encounter of clashing shields in hand-to-hand combat; pushing, killing, and dying cheek-by-jowl. Hoplite tactics required collective solidarity and operational discipline, in contrast to a putatively earlier form of “Homeric” individual combat.³⁷ The pressures of developments on the battlefield demanded better political and social organization, and new political structures of the mid-fifth century can be interpreted as responses to military needs. In 444, for example, *tribuni militares consulari potestate* (“military tribunes with consular power”) replaced the two consuls. While this change may have had a purely political dimension, reflecting a patrician reaction to plebeian agitation for the consulship, it is clear that its primary practical effect was to meet military challenges more effectively through an expanded high command.³⁸ The creation of the censorship in 443, to take another example, had as one of its chief tasks distributing the citizens into property classes. At a time when taxation cannot have been of primary importance to the state, this distribution makes best sense as a means of determining those citizens capable of serving as hoplites.³⁹ In order to maintain military manpower of the citizen militia, the rank-and-file troops were paid from the state treasury for the first time in the late fifth century.⁴⁰ Diodorus supplies a dramatic, but perhaps apocryphal, example of the discipline and severity demanded by the reorganized, semi-professional army. According to him, in 432 or 431 the dictator A. Postumius Tubertus had his own son executed, because he left his position in the line and engaged in a victorious, “old-style” single-handed combat with an enemy.⁴¹ In his account of the Roman military system, Polybius describes the ideal of such collective discipline regarding the centurions: “They want the centurions not to be bold and danger-loving so much as men with qualities of leadership, steady, firm-minded, not prone to initiate an attack or begin a battle, but to stand fast when outnumbered and pressed, and to die at their posts.”⁴²

The Samnite Wars were unlike any earlier Roman warfare, being of greater scale, intensity, and duration than what went before.⁴³ According to Livy, the Romans by the time of these wars had already developed a multiple-line

³⁷ For the collective shove, or *othismos*, in hoplite battles, see Hanson 1989: 135–93; Lazenby 1991; Luginbill 1994; and Goldsworthy 1997, for another view.

³⁸ Cf. Liv. 6.37.5 (370/69), *cum tribunos militum idcirco potius quam consules creari placuisset, ut et plebeis pateret summus honos* (“although it was determined to create military tribunes rather than consuls, so that the highest honor would be open even to the plebeians”); see Forsythe 2005: 157–66, 234–39.

³⁹ See already Nilsson 1929.

⁴⁰ Liv. 4.59.11 (406), with Erdkamp 2007: 105, and literature cited there.

⁴¹ Diod. 12.64.3; Broughton, *MRR* 1.63 and n.2; cf. Liv. 8.7.1–22; Broughton, *MRR* 1.135 (a parallel story concerning the consul T. Manlius Torquatus and his son in 340).

⁴² Polyb. 6.24.9. Literary sources, however, report monomachy, or heroic single-handed combat, in Roman armies from the regal period down to the year 45. Oakley 1985: 393–97 lists thirty-one cases.

⁴³ Liv. 7.29.1; Cornell 1995: 345–63; Salmon 1967 remains a standard account.

system of combat, which gave them a decided advantage over numerically superior adversaries who fought in a single line, since the Romans were thereby able to relieve tired men with fresh reserves.⁴⁴ These wars encompassed nearly all of peninsular Italy and its peoples, many of whom were eventually drawn into the strife on one side or the other. The Third Samnite War was the result (from a pericentric perspective) of Rome answering an “invitation” from the Lucanians, victimized by Samnite raids. In these most perilous times, the Romans would face a daunting coalition of Samnites, Gauls, Etruscans, and Umbrians,⁴⁵ and in order to meet the demands of war on multiple fronts against numerous foes, they resorted to the practice, rare at the time, of prorogation, with five men holding *imperium* as pro-magistrates, in addition to the two consuls. In 295, the year of the climactic battle at Sentinum, the Samnites fought not only in the territory of Sentinum in Umbria, but also in the Paelignian territory, at Tifernus, and in the Stellate plains, often in league with their allies. At Sentinum, the Roman army and allied contingents numbered 40,000, while the opposing coalition of Samnites and Gauls came to about 50,000.⁴⁶ Divine omens presaged victory in that battle, according to Livy, assured only by the ritual self-sacrifice of a Roman commander.

By about the year 300, therefore, the scale of warfare was of a profoundly greater magnitude than it had been at any time in the Republic’s history prior to the wars against the Samnite Confederation. After the Samnite Wars, hegemonic ambitions extended throughout peninsular Italy, but they were not uncontested. The early part of the third century presented a new and formidable challenge with the coming of Pyrrhus and his state-of-the-art, professional army of Hellenistic Greek mercenary soldiers. In terms of reputation as a field-commander, Pyrrhus was among the most renowned of his time, an astute general who had written a work on battlefield tactics. According to Plutarch, those who opposed him on the battlefield likened his skills to Alexander the Great; others, they said, mimicked Alexander in attire and bearing, but only Pyrrhus recalled the great conqueror in arms and action.⁴⁷ He had more than held his own in contests for territorial control in Thessaly and Macedonia against Demetrius Poliorcetes, king of Macedon. For his invasion of Italy, Pyrrhus received Macedonian troops and Indian war elephants from Ptolemy Keraunos, ships from Antigonus Gonatas, and money from Antiochus I (Ptolemy I Soter probably contributed money as

⁴⁴Liv. 8.8.3–14; 9.32.8–9; cf. 34.14.1–15.9 (Cato the Elder); Onasander, *Stratēgikos*, 22.1–4, with Sabin 2000: 7.

⁴⁵Liv. 10.21.11–15; cf. 10.16.3.

⁴⁶Liv. 10.27.1–29.20, 31.12, and further sources at Broughton, *MRR* 1.177, with Cornell 1995: 359–63, and literature cited there. Livy reports the casualty figures: 25,000 on the Samnite and Gallic side; 8,700 on the Roman.

⁴⁷See Plut. *Pyrrh.* 8.1–3 (reputation, including opinions of Antigonus and Hannibal); cf. Plut. *Demetr.* 41.3; *FGrH* 229 F 1–2 (work on tactics). Fronda 2010: 15n.32, assembles ancient sources and modern works on the Pyrrhic War.

well). In addition to enjoying these considerable material resources, Pyrrhus also knew well how to exploit opportunities for propaganda, representing himself as a latter-day Achilles and his invasion as a Panhellenic undertaking against the western Roman barbarians.⁴⁸ When the Tarentines invited Pyrrhus into Italy in order to assist them against what they perceived as Roman aggression, he arrived with a force of about 25,000 infantry, 3,000 cavalry, and 20 war elephants. We have already considered how the fetial priesthood may have adjusted its procedures at this time in order to declare war in accord with the *pax deorum*.

The Punic Wars left an indelible imprint on the Roman psyche, perhaps matched only by the early-fourth century debacle at the hands of the Gauls.⁴⁹ In Polybius' eyes, the First Punic War was without question the greatest war up until his time.⁵⁰ From a neo-Realist perspective, the situation in Sicily created a systemic crisis, since it was far from certain to any observer that King Hiero II of Syracuse would be able to maintain the historical equilibrium of more or less balanced Greek and Carthaginian spheres of power in the island, and the Carthaginian foothold at Messana presented a grave security concern for Rome. Polybius explicitly says that the senators feared that, unchecked, the Carthaginians would have an uncontested bridgehead for an invasion of Italy.⁵¹ Intervention at the invitation of the Mamertines of course led to an enervating, twenty-four-year-long war, which presented Rome with unprecedented military challenges, foremost among which was mastering the art of naval warfare.⁵² Perhaps the most impressive piece of military ingenuity in all of republican history was the invention of the *corvus*, or "raven." This was a movable grappling device mounted on the deck of the Roman ship-of-war that could lock onto enemy vessels and hold them in place, effectively creating land battles at sea and nullifying the enemy's superior abilities in naval tactics and maneuvers. The *corvus* helped to neutralize Carthaginian naval expertise at the Battle of Mylae in 260, during the early stages of the war. In commemorating this victory, the Senate and People authorized the admiral Duilius to celebrate Rome's first naval triumph in thanksgiving to the gods.⁵³

⁴⁸ Well-illustrated in his coin issues; see, for example, *BMC Thessaly* 111, no. 7 (head of Achilles on obverse; veiled Thetis with Achilles' shield on reverse), with Franke 1989: 463–66. According to Pausanias (1.12.1), Pyrrhus represented himself as a descendant of Achilles making war on Trojan colonists; cf. Plut. *Pyrrh.* 1.3; 2.7; Just. *Epit.* 17.3.

⁴⁹ For the persistent, deeply-ingrained fear at Rome of Carthaginians and Gauls, see Bellen 1985.

⁵⁰ Polyb. 1.13.11–12, 63.4–64.1, 64.5–6; 3.2.6. For Polybius' representation of the Punic Wars, see Champion 2011.

⁵¹ Polyb. 1.10.9; cf. Zonar. 8.8.

⁵² See Lazenby 1996: 61–80.

⁵³ Polyb. 1.22.1–23.10; cf. Liv. 26.39.12 (210); Liv. 30.10.16–20 (Carthaginian *harpagones* in 203); Walbank, *Comm.* 1.77–78; Lazenby 1996: 68–70. For a good line-drawing of the *corvus*, see Scullard 1989: 551.

The Second Punic War presented the Romans with a far more formidable challenge than Pyrrhus in the person of Hannibal Barca, whose brilliance and daring on the battlefield nearly destroyed the Republic.⁵⁴ During the year 219, most senators were probably expecting a war against Carthage, but they were completely unprepared for how soon that war would come and where its initial rounds would be fought. An embassy to New Carthage in the autumn of 220 had warned Hannibal to leave Saguntum alone, claiming that the Spanish city was a friend and ally. According to Polybius, the ambassadors encountered a frenzied youth, teeming with an implacable hatred of Rome, who would not listen to reason.⁵⁵ After Saguntum's fall in the winter following an eight-month siege, Hannibal conducted a lightning march, traversing difficult terrain and undertaking the daunting task of crossing the Alps, harried by sporadic Gallic attacks, and he arrived in northern Italy before the Romans were sufficiently prepared to meet him on the battlefield (most senators had assumed that the war would be fought in Spain on their terms).⁵⁶

Hannibal won initial victories over Roman forces in northern Italy in the skirmish at Ticinum, near the confluence of the Ticinus and Po rivers, and in the battles at the Trebia river and at Lake Trasimene, where the consul C. Flaminius perished, damned according to the tradition for his irreverence towards the gods. Hannibal then went on in mid-summer of 216 to administer the most severe defeat the Romans suffered during the Republic at Cannae in Apulia.⁵⁷ The army recruited to face Hannibal in Apulia was of unprecedented size: Polybius states that eight legions were raised (he notes that this had never happened before), with each of the legions comprising 5,000 men, apart from the allied forces. This must mean that the four existing legions under the command of Cn. Servilius Geminus and M. Atilius Regulus were increased to 5,000 men, and that four new legions were enrolled.⁵⁸ The devastating battle casualties were of unparalleled magnitude. According to Polybius, the survivors were 70 Roman and 300 allied cavalry, and 10,000 infantry were taken captive. The rest, to the number of 70,000, were killed. The actual number of casualties is likely to have been a little

⁵⁴See Polyb. 9.22.1–6; 18.28.6–7, cf. Liv. 21.4.1–9 (Hannibal as Hasdrubal's subordinate officer in Spain), with Lazenby 1978, esp. 255–57; Lancel 1998: 43–185; Fronda 2010, esp. 288–300; Strauss 2012, with bibliographic essay at 258–61. Cf. Hoyos 2003: 87–178, for a sober assessment of Hannibal's operational and strategic blunders.

⁵⁵Polyb. 3.15.6–9; see also 3.11.1–12.5 (Hannibal's oath and the "wrath of the Barcids"); 2.36.4–7; 3.86.11–87.1; for Polybius' characterization of an irrational Hannibal, see Eckstein 1989. For the events surrounding Saguntum, see Hoyos 1998: 174–232; cf. Hoyos 2003: 87–97.

⁵⁶Polyb. 3.15.13 is explicit on the senators' expectation that the war would be fought in Spain.

⁵⁷For details of the battles leading up to Cannae, see Walbank, *Comm.* 1.395–430; on the battle at Cannae, see Daly 2002, esp. 113–204.

⁵⁸See Polyb. 3.107.8–15, with Walbank, *Comm.* 1.439–40; Lazenby 1978: 75–76. It may have been at this time that the property qualification for *assidui* was lowered from 11,000 to 4,000 *asses*.

more than 60,000, as Polybius used a Carthaginian source and his figure, neglecting survivors, was obtained by subtracting prisoners of war from the legionary total. But even with this adjustment, the magnitude of the manpower losses is staggering. In the panic that ensued, the Romans addressed the disturbances with the *pax deorum* by resorting to human sacrifice in the Forum Boarium.⁵⁹

Military challenges in the Iberian peninsula would continue to be formidable for the Romans after their victory in the Second Punic War, as they had been for the Carthaginians before them. Conditions in the difficult terrain of the northwest were particularly challenging, and even in the first century C.E. there was serious resistance to Roman rule in the region. Augustus' campaigning there in 26 and 25 was at best marginally successful, despite his claims to the contrary in the *Res Gestae*.⁶⁰ The brutality of the fighting in our period is reflected in the Romans' adaptations to their enemies' weaponry and tactics. Perhaps most significant was the adoption of the short cutting and thrusting sword known as the *gladius Hispaniensis*. The phalanx-soldiers of Philip V were horrified in 200 at their first sight of the gruesome carnage wrought by legionaries wielding the *gladius*.⁶¹ Moreover, fighting conditions in Spain—the rugged, broken countryside, dispersed pockets of the enemy, and the guerilla warfare conducted by Iberian tribesmen—may have provided the impetus for the development of the cohort, a tactical unit large enough to engage in battle independently when dispersed, yet when united also capable of more complex battlefield maneuvers than the manipular formation that had preceded it.⁶²

From the mid-second century setbacks became commonplace in Spain, with Numantia as a center of resistance to Roman power.⁶³ In 152 the praetor

⁵⁹ See Polyb. 3.117.3–4, with Walbank, *Comm.* 1.440. Following a Roman annalistic source, Livy gives 48,200 casualties, 19,300 war captives, and 14,500 survivors (22.49.13–18, 50.11, 52.4, 54.1–4, 60.9, 60.19). See Lazenby 1978: 84–85.

⁶⁰ Aug. *RG* 12, 25, 26, and 29; cf. Vell. Pat. 2.90.4; Dio 53.13.1–2, with Le Roux 1982: 52–77, esp. 65–69; Gruen 1990b: 399–401. Writing at the end of the reign of Augustus and the beginning of that of Tiberius, Strabo 3.1.2 (C 137), noted the wildness and uncivilized nature of northern Iberia, and at 3.3.8 (C 156), he states that Tiberius placed three legions in Lusitania, which made the people there more peaceful and civilized. Writing during the reign of Tiberius, Valerius Maximus (9.1.5), could still describe Spain as rough and warlike (*horrida et bellicosa provincia*).

⁶¹ Liv. 31.34.3–5; cf. 22.46.5; Polyb. 6.23.6–8; see also Polyb. 2.30.8, 33.5–6, with Walbank, *Comm.* 1.445, 704. For the horrors of the Roman sacking of cities (bone-chilling mutilation of humans and animals, severed limbs, dogs cut in two), see Polyb. 10.15.4–7, with Ziolkowski 1993, and further references assembled by Champion 2004a: 57n.90.

⁶² There were ten cohorts as opposed to the thirty maniples in a legion. Although the cohort at 480 men was four times as large as the manipule, its streamlined command hierarchy created a far more flexible legion in strategic and tactical terms; see Goldsworthy 1996: 33–37; for a compelling argument that the cohort evolved from the Romans' military experiences in Spain, see Bell 1965: 404–19. The first certain reference is to a *cohors Romana* under the command of the *equus* L. Marcius in Spain in 210 (Liv. 25.39.1); Polybius twice mentions the cohort in connection with Scipio Africanus' campaign in Spain in 206 (Polyb. 11.23.1, 33.1).

⁶³ On the Celtiberian war, see Astin 1967: 35–47 (cf. 137–60); Richardson 1986: 126–55.

M. Atilius Serranus captured Oxtirace from the Lusitanians, killing about 700 of them, and received submission of several tribes, but the success was short-lived, as they soon revolted.⁶⁴ Frustrations such as this led to brutal Roman reprisals against Spanish tribesmen whenever the Romans temporarily gained the upper hand. In 151 the consul L. Licinius Lucullus treacherously slew all adult males of the tribe of the Cauca after they had surrendered. In the following year Ser. Sulpicius Galba attacked the Vaccaeii without the Senate's authorization and invaded Lusitania, heinously executing 8,000 people who had surrendered, and selling the rest into slavery.⁶⁵ The dramatic story of the uprising around 147 led by the Lusitanian shepherd Viriathus must be placed in this context, and it underscores the continuing difficulties the Iberian peninsula presented for the Romans. Viriathus defeated a series of Roman generals in both Spanish provinces, and his knowledge of the difficult terrain on which these battles were fought was a key factor in the Roman defeats. His victory in 140 over the proconsul for *Hispania Ulterior*, Q. Fabius Maximus Servilianus, led to his recognition as an independent ally of the Roman people, until Servilianus' brother and successor in Spain, Q. Servilius Caepio, convinced the senators to renounce the peace treaty and then treacherously secured Viriathus' assassination.⁶⁶ After the disastrous affair at Numantia, C. Hostilius Mancinus was handed over to the enemy in chains as a sort of human sacrifice, with ritual prescriptions of the fetial priests. In short, Spain was a military nightmare for the Romans over many decades, as the Senate received frequent reports of military disaster from that quarter, and both the senators and the *populus Romanus* became increasingly annoyed by the prolonged failure there.

Spain was not an anomaly. Initially Polybius conceived of his history in thirty books, covering the period from 220–168, ending with the climactic victory over the Macedonian monarchy. In his view, the outcome of the battle at Pydna marked the completion of the growth and advance of Roman power, and thereafter it was universally acknowledged that everyone would have to submit to Rome and obey its commands. Although he states that all had been crushed by Rome and come under its dominion, he concedes that there was a disturbed and troubled time that followed.⁶⁷ One could argue that the "time of troubles" extended throughout the period comprising the chronological focus of this book. For example, in the summer of 114 the consul M. Porcius Cato suffered a military disaster at the hands of the Scordisci in northern Macedonia, and in the following year the consul Cn. Papirius

⁶⁴ App. *Iber.* 58.

⁶⁵ For sources, see Broughton, *MRR* 1.455 (Lucullus); 456–57 (Galba).

⁶⁶ Servilianus' defeat: Liv. *Per.* 54; App. *Iber.* 69; cf. Diod. 33.1.3; Caepio's treachery: Liv. *Per.* 54; App. *Iber.* 74; Diod. 33.1.4, with further sources at Broughton, *MRR* 1.482.

⁶⁷ Polyb. 3.4.1–13, partly his reason for extending the work with an additional ten books to reach down to the year 146.

Carbo forced the Cimbri into a battle near Noreia and suffered a disastrous defeat.⁶⁸ The Scordisci had inflicted the most serious military catastrophe upon the Romans in over a generation, and in the aftermath of their victory their raiding bands reached as far as the Adriatic and Delphi. Their onslaught coincided with the last attested instance of public human sacrifice at Rome. These disasters did not take place as a result of aggressive Roman actions beyond the frontier, but rather occurred in regions which were vital for security of well-established *provinciae*.

Historical sketches offered in this section in no way provide a comprehensive history. Their purpose rather has been to show through selected examples that the Republic's military history conforms to the direst formulations of neo-Realist international relations theorists, and that the Romans frequently responded to such pressures in religious terms, attempting to restore the *pax deorum*. From its origins, Rome was under constant military threat, and that reality is reflected in the organization of its earliest political community. The Romans were forced to respond to new military challenges quickly, as they encountered enemies who enjoyed various kinds of military advantage. They learned from their adversaries, whose tactics and weaponry they adapted. As Polybius points out in discussing the Greek shield, "When the Romans learned about this weaponry, they quickly copied it; for they are good, if any people ever was, at changing their customs in emulation of a better way."⁶⁹

Unprecedented military challenges extended from early in the third century through Polybius' "time of troubles." The technological, tactical, and strategic superiority of Pyrrhus' army in the 270s, and the new type of guerrilla warfare encountered in Spain, the difficulty of which is reflected in the frequent military reverses suffered there, serve as prime examples. Most dramatic of all was the defeat at Cannae, the Republic's worst military disaster. This survey has demonstrated that, far from being an ineluctable imperial dominatrix whose universal supremacy was a foregone conclusion, the Republic existed in, and eventually succeeded in establishing hegemony over, a highly militarized, brutally competitive international anarchy. Military and religious institutions adapted accordingly. In this environment uncertainty and a certain amount of anxiety must have frequently lain at the heart of the senators' deliberations on foreign policy, largely because they had so little influence on the actual conduct of military operations, in which the major decisions fell to the commander in the field.

⁶⁸For sources, see Broughton, *MRR* 1.533 and 535. The *propraetor* Sex. Pompeius was killed fighting against Gauls, probably Scordisci, in 119 (Broughton, *MRR* 1.526; Brennan 2000: 346n.57, 521 and n.5).

⁶⁹Polyb. 2.25.11.

II. INDIVIDUAL DECISION-MAKING POWERS AND ATTENDANT PSYCHOLOGICAL BURDENS

The purpose of this section is to consider general conditions of ancient warfare—unpredictable battlefield circumstances, tactical and/or strategic advantages of an enemy, and the ever-present potential for defeat, and even annihilation—from the perspective of the elite field-commander. In order to prepare the ground for reconstructing this perspective, we may begin by regarding some further aspects of the modern scholarship on Roman imperialism, recent developments of which have important implications for the question at hand. Studies on the nature of Roman imperial expansion and the Republic's frontiers have burgeoned in recent decades, but the aim here is not to provide a complete survey of this work. The intention is rather to concentrate on one crucial aspect of it: the problem as to whether Rome, as an imperial metropole, had a central plan or grand strategy for the acquisition and maintenance of its empire. The answer to this question will have a bearing on how we understand the predicament of the elite commander in the field of military operations. For our purposes, we may restrict the discussion to two influential works which represent fairly extreme historical reconstructions on either side of the controversy.⁷⁰

In 1976 Edward M. Luttwak stimulated scholarly activity on this topic with the publication of his book, *The Grand Strategy of the Roman Empire*. Luttwak focused exclusively on the Principate, but his bold thesis had a profound impact upon historians working in the republican period as well, many of whom reacted vigorously against it. Luttwak posited that there were three distinct periods in Roman imperial defense during the Principate: (1) the time of the Julio-Claudian dynasty, during which the frontier was more or less stable and client kingdoms served Rome's interests as buffer states; (2) the years stretching from the Flavians to the Severans (roughly from about 70 C.E. to the end of the second century), when "scientific frontiers" were developed, and the emperors invested considerable resources in defense of relatively static borders; and (3) the crisis-filled third century, when the rulers abandoned a costly perimeter defense system in favor of a military organization based on "defense-in-depth." In this final period, Rome's aim was to intercept invasions before they could penetrate deep into the heart of the empire. Penetration of the frontier was at this time unavoidable, but through a system of self-contained strongholds and mobile striking forces in the field, it could be kept within acceptable limits. The crucial, underlying assumption was that throughout the three periods, there was always a central plan on the part of

⁷⁰In terms of the three basic approaches to the study of Roman imperialism which were outlined in the introduction to this chapter, scholars on both sides of this debate have employed a metrocentric paradigm.

the imperial metropole; a “grand strategy” of empire, centered in Rome. As Luttwak put it: “The firm subordination of tactical priorities, martial ideals, and warlike instincts to political goals was the essential condition of the strategic success of the empire. With rare exceptions, the misuse of force in pursuit of purely tactical goals, or for the psychic rewards of purposeless victories, was avoided by those who controlled the destinies of Rome.”⁷¹

But who were “those who controlled the destinies of Rome”? Given the profound uncertainties of warfare in the ancient world, generals’ extremely limited geographical knowledge of difficult terrain far from Rome that may have constituted their field of operations, the most rudimentary cartographical aids at the commander’s disposal, and the long delays in communications from the Senate in Rome to military leaders in the field, this is an important question. Beginning from considerations such as these, Benjamin Isaac offered one of the strongest objections to Luttwak’s idea of a “grand strategy” of the Roman empire.⁷² He questioned whether political leaders and military generals could have had any clear understanding about the frontier and which boundaries could provide the greatest safety for those who lived near them, and he consequently rejected Luttwak’s entire idea of a “grand strategy.” Frontier security, according to Isaac, was not a primary concern in diplomacy or warfare. Borders were lines of communication rather than lines of defense. Military colonies in frontier regions served to consolidate conquest and subjugation; they did not function as outposts defending the empire against aggressive inroads from powerful enemies.⁷³ Those living in urban areas near the border were responsible for their own safety and security, not the imperial army. Military activity in frontier zones was unsystematic and opportunistic. Both republican generals and the emperors who followed them were driven by a nearly insatiable desire for military glory, which would lead to impulsive or reactionary military operations, frequently with short-lived results. Military actions were more often than not ad hoc reactions to sudden developments, taken on the spur of the moment. Consequently, they defy rational analysis from a strategic perspective. In Isaac’s view, the idea of elaborate imperial defensive systems is a chimera of modern scholarship.

Most military historians of the ancient Mediterranean world today would favor Isaac’s reconstruction, and few could accept the basic tenets of Luttwak’s theory without radical modifications. Luttwak’s notion of a “grand strategy” of empire presumed a degree of central intelligence and military planning at Rome for which there is very little evidence, especially during the time of the Republic. Indeed, as Austin and Rankov note in their study of Roman

⁷¹ Luttwak 1976: 2.

⁷² Isaac 1990; see also Mattern 1999.

⁷³ Cf. Rüpke 1990: 54–55.

military intelligence, “Actual evidence for Roman forces setting out to acquire geographical, topographical or other information in anticipation of a major expedition is scarce. No such mission is known to have been ordered by the Republican Senate, which is hardly surprising in view of its annual magistracies and intense political rivalries, which made long-term strategic planning virtually impossible.”⁷⁴ Isaac’s analysis more easily accommodates the historical evidence for the post-Augustan empire of maintenance and consolidation, and it is even more compelling for the expansionist, hegemonic power of the Republic. The fundamental point is that in our period generals in the field were largely on their own. Their choices determined whether they and their armies would prevail or perish, and their military performance would be the single most important factor in their garnering the *gloria*, *dignitas*, and *fama* that were requisite for *nobiles* to reach their families’ highest expectations of them, and to give their lives their fullest meaning—in the event that they survived and returned to civilian life at Rome.⁷⁵

Although Livy’s accounts of early republican history must always be used with caution for the purposes of historical reconstruction, his narration of the battle at Sentinum in 295 against a coalition of Samnites, Etruscans, and Gauls dramatically illustrates major themes of this chapter, and therefore serves as an irresistible point of departure.⁷⁶ His description of Sentinum highlights the precarious and horrific nature of the ancient battlefield experience, the field-general’s concerns with omens, religious orthopraxy, and divine favor during the course of military trials, and especially—the focus of our attention in this section—the commander’s individual decision-making burdens and the psychological pressures they created for him. In Livy’s account the enemy took the initiative, designating the day for the decisive showdown. Their plan was thwarted only by the fortunate defection of some men from Clusium, who revealed the enemy’s positions and plans to the consul Q. Fabius Rullianus. Fabius ordered the proconsuls C. Fulvius Maximus Centamalus and L. Volumnius Flamma Violens to attack Clusium in order to draw off some of the enemy forces. The momentous battle thus took place while the enemy Etruscan and Umbrian soldiers were away in response to the attack on Clusium (Livy states that the full complement of the coalition troops would have spelled doom for the Romans).

With battle lines drawn and preparing to engage, a favorable omen presaged victory. A wolf (ubiquitous symbol of Rome) chased a deer down from the mountains and between the two lines. The animals then turned in opposite directions: the wolf towards the Romans, who made way for it to pass

⁷⁴ Austin and Rankov 1995: 30; cf. 244, for further comments on inherent weaknesses in the republican system for intelligence-gathering.

⁷⁵ See Rosenstein 2007; cf. Rosenstein 2006; and Rosenstein 1990 on the political fortunes of generals who survived military defeats.

⁷⁶ Liv. 10.26.7–30.10, with collected sources at Broughton, *MRR* 1.177.

through, while the Gauls killed the hind that had veered off into their ranks. Although this sign foretold a favorable outcome for the Romans, the price would be heavy losses on both sides and the death of a consul. When the fighting began, the Romans experienced opposite fortunes on their right and left wings. Fabius' first and third legions on the right wing took a defensive posture, as the consul reckoned that both Samnites and Gauls were formidable in the initial onslaught, but weakened considerably in prolonged combat. The fifth and sixth legions on the left wing were under the command of the other consul, P. Decius Mus, stationed against the Gauls. Decius, with youthful vigor, attempted to force the issue, leading a cavalry charge, which eventually lost contact with the heavy infantry and was thrown into disarray in the midst of the Gallic forces.

As the tide of the battle was turning against the Romans under Decius' command, he decided to make the supreme self-sacrifice for his country. Before joining battle, he had commanded the pontifex Marcius Livius to stay by his side. He now ordered the priest to recite the words of a ritual devotion of himself as Roman commander and the enemies' forces on behalf of the Roman People.⁷⁷ Declaring that he was calling forth fear and panic, blood and devastation, and all of the gods' wrath, and proclaiming that by his action he was casting a curse upon the standards of his enemies and that he, the Gauls, and the Samnites were about to perish on the same spot on the battlefield, Decius hurled himself against the weapons of his foes, forfeiting his life so that the Romans would prevail. The surviving consul, Fabius, then rallied his troops to devastate the coalition forces in vengeance for his colleague's death, vowing a temple and the spoils from the enemy to Jupiter Victor in return for the god's help in averting defeat. Livy's dramatic tale cannot inspire the historian's confidence, especially since Decius' heroics duplicate the exploit of his father's *devotio* in 340 against the Latins.⁷⁸ But it does underscore what we know to be historical certainties: the general's preoccupations with religious obligations and prerogatives even in the midst of battle (one of the focuses of the following section), and the necessity for commanders to make spur-of-the-moment decisions in battlefield encounters.

Our principal concern is with the third and second centuries, whose recorded events rest on firmer historical foundations. In this period, we can clearly see the field-commander's independence and responsibilities. We must acknowledge that the Senate certainly granted formal provisioning of material resources for the commander in the field, as Polybius explicitly states. In 169, the Senate even issued a decree that no ally should contribute supplies

⁷⁷ On *devotiones*, see Rüpke 1990: 156–61; Rüpke 2007: 165.

⁷⁸ Liv. 8.9.1–11.1, with Rüpke 2007: 165, and further references at Broughton, *MRR* 1.135, discussion at Champion 2004a: 177–78, and 178n.11; Edwards 2007: 25–28; cf. 44–45. Section 3 opens with discussion of the *devotio* in 340 as Livy represents it.

to a general without its approval. But Cato the Elder's remark that "war feeds itself" indicates that in actuality the burden of finding food was mostly a problem for the general to solve, and in 195 he seized grain stores at Emporiae in order to sustain his army. Caesar flatly states that supply is a duty (*officium*) and responsibility (*cura*) of the commander.⁷⁹ Regarding military engagements, we have two striking examples from the early second century of field-commanders' individual autonomy. First, after defeating Philip V at Cynoscephalae, Flamininus proceeded on his own initiative to make war against Nabis of Sparta. Next, Cn. Manlius Vulso as consul in 189 campaigned against the Galatians, after discovering that Antiochus, his anticipated adversary, had made peace. The Senate seems to have given Flamininus full discretionary powers to wage war in the Peloponnesus as he saw fit, and while the senators apparently chastised Manlius for prosecuting an unauthorized war against the Galatians, in the end they granted him a triumph.⁸⁰

Let us return to the earliest years of Roman involvement in Spain in order to illustrate further commanders' independent behavior. It is striking that in 218 the consul P. Scipio invested his brother Gnaeus with *imperium* (probably *propraetorian*) on his own initiative, and not by a command of the Senate.⁸¹ Gnaeus then acted independently as commander-in-chief in Spain until the arrival of Publius in mid-summer 217.⁸² Probably at the end of 212, P. and Cn. Scipio were in control of the eastern seaboard of Spain, from Emporium to Saguntum. From the time of the Roman army's arrival in late 218 until this year, the Scipio brothers' main concern seems to have been to block Hannibal from his Spanish base at New Carthage and from his troops and supplies there. The Scipios' thinking, however, seems to have changed from a defensive posture to a more aggressive policy during the course of 212. Concerning Spanish events in the year 214 (some of which belong to 212), Livy's narrative shows that Publius and Gnaeus divided their infantry forces. The division of the armies was a decided gamble, which led to catastrophe and death for both of the Scipios. But the important point for this discussion is that Publius and Gnaeus separated their armies without any formal order from the Senate.⁸³

⁷⁹ Polyb. 6.15.4–5; Liv. 43.17.2–3 (169), with Roth 1999: 248; Liv. 34.9.12–13 (Cato); Caes. BG 1.40.

⁸⁰ Liv. 33.45.3; 34.22.5 (Flamininus); Liv. 38.45.1–46.15 (charges of L. Furius Purpureo and L. Aemilius Paullus against Manlius), with Rich 1993: 56–58, for these two incidents and brief discussion of the general's independence in the field of military operations.

⁸¹ See Liv. 21.40.3–4; cf. Polyb. 3.64.10 (Publius present in Italy to face Hannibal).

⁸² For Publius' return to Spain, see Polyb. 3.97.1–2; Liv. 22.22.1, with Richardson 1986: 35–36. Liv. 25.3.6 demonstrates that by 212 the Senate had recognized Publius' arrangement *ex post facto* by allocating Spain to P. and Cn. Scipio.

⁸³ Liv. 24.41.1–42.8, with Richardson 1986: 40; cf. App. *Iber.* 16, who states that the two brothers' winter encampments in 212 were separated; Publius' at Castulo, and Gnaeus' at "Orso" in Turdetania. But Gnaeus more likely wintered at Ilorci, where Plin. *HN* 3.1.9 locates his funeral pyre. The distance between Castulo and Ilorci was over one hundred and twenty miles; on the site of Ilorci, see Lazenby 1978: 152; Lancel 1998: 135.

In subsequent years, commanders in Spain of necessity continued to exercise individual decision-making powers, with virtually no directives from the Senate. As examples we have the legates L. Marcius' and Ti. Fonteius' rallying of the troops north of the Ebro river after the disaster that befell the Scipios in 211; Scipio Africanus' stunning attack and capture of New Carthage in 209; and his foundation of Italica in 206, about five miles to the north of modern Seville. According to Appian, the only source to mention its foundation, Italica was established as a settlement for the sick and wounded soldiers in Scipio's army, but he also certainly intended for it to serve as an outpost for operations against the Lusitanians and a strategic foothold for the extension of a permanent Roman presence to the west. The crucial point for this discussion is that it was entirely on Scipio's own initiative that Italica was founded at all.⁸⁴ A particularly interesting case of the independent decision-making powers of the commander in the field is provided by the treaty—not ratified by the Senate and People—made with Gades in 206 by Scipio's legate, L. Marcius, which apparently enjoined upon the Gaditanes the presence of a *praefectus* and garrison in their city.⁸⁵ Finally, a most startling example from Spain of the general's individual autonomy is the consul C. Hostilius Mancinus' disastrous brokering—through his quaestor Ti. Sempronius Gracchus' agency—of a treaty with the Numantines in 137, which the Senate later repudiated, to Mancinus' chagrin and disgrace.⁸⁶ As John S. Richardson observed in his study of the origins and growth of Roman imperial power in Spain, "Imperialism in the second century, just as much as in the period of Caesar and Pompey, was the product of individual initiative *in situ*."⁸⁷

In terms of communications between Rome and *provinciae*, Spain was a far-off province. Its remoteness from Rome in this regard, given the unpredictable and relatively slow conditions of long-distance communications in the ancient world, would seem by itself to explain the need for commanders in Spain to act independently and without formal directives from the Senate.⁸⁸ Moreover, we might think that the low esteem in which Roman elites

⁸⁴L. Marcius and Ti. Fonteius: sources collected by Broughton, *MRR* 1.275; Africanus at New Carthage: principal sources are Polyb. 10.2.1–20.8; Liv. 26.41.1–51.14; Italica: App. *Iber.* 38; cf. Gell. *NA* 16.13.4–5 (Hadrian), with Brunt, *IM* 602; on the site, see Richardson 1996: 36n.90. Three centuries later, Italica would be the hometown of the emperors Trajan and Hadrian.

⁸⁵Liv. 28.37.10; 32.2.5; cf. Cic. *Balb.* 15.34, 17.39; and sources at Broughton, *MRR* 1.300, with Badian 1954; Badian 1958: 118–19.

⁸⁶For sources, see Broughton, *MRR* 1.484.

⁸⁷Richardson 1986: 178. The activities in Spain of M. Atilius Serranus, L. Licinius Lucullus, and Ser. Sulpicius Galba, discussed in the preceding section, are additional cases in point. For further examples from our period of magistrates and promagistrates acting independently in Spain with no formal directives from the Senate, see Richardson 1996: 41–96, esp. 53–56.

⁸⁸It took twelve days for news of the victory at Pydna in 168 to reach Rome (Liv. 45.1.1–11; rumors of the outcome, however, began circulating at Rome three days after the battle); Apella's courier left Rome with a letter from Atticus for Cicero in Cilicia and arrived after 46 days, which Cicero called a rapid journey (*Ad Att.* 5.19.1 (S-B 112)). The easiest and fastest means of communication was by sea, but this mode of travel would still have been far too slow for senatorial directives to have been

held the native inhabitants, who were little more than uncivilized, uncouth barbarians in their view (especially those living in the north and northwest), is sufficient reason for military commanders in Spain to have had relative freedom there, as in the case of Lucullus' and Galba's massacres, carried out with impunity in 151 and 150, respectively.⁸⁹ But Spain was not a unique case for the commander's nearly complete autonomy in the field of operations, and neither of these explanations for it in the Iberian peninsula can stand up to scrutiny. First let us take up the issue of proximity to or remoteness from Rome. We find the same independence of action in the maneuvers of the consul Ap. Claudius Caudex, who crossed the Straits of Messina from Italy into Sicily in 264 and in the subsequent events that led to the First Punic War. As far as the question of "civilized" versus "uncivilized" goes, T. Quintius Flaminius acted with a relatively free hand in Greece, the most civilized of lands according to Roman opinions, in the aftermath of his defeat of the Macedonian King Philip V at the battle of Cynoscephalae, and in the events leading up to his famous "Isthmian Proclamation" at Corinth in 196. Unlike the philhellenic Flaminius, however, the consul P. Licinius Crassus and the unscrupulous praetor C. Lucretius Gallus in 171 allowed their troops to commit outrages in Greek cities, even friendly ones; as did the praetor L. Hortensius in the following year.⁹⁰ The commander's autonomy and independent decision-making powers therefore obtained at all times, regardless of his distance from Rome or the people among whom he found himself. Few scholars today would dispute that point, especially since the publication of Arthur M. Eckstein's magisterial study of the question.⁹¹

The tremendous psychological burden this independence must have placed on the general, however, has not received the careful scholarly attention it deserves. After all, as a consequence of his autonomy in the field, the commander's own survival and that of his army depended solely on his choices.⁹² We may consider the Roman military encampment in this light. In the speech that Livy gives to Aemilius Paullus before the climactic battle

of much use to the commander in the field in overseas provinces; on sea-borne travel generally, see Casson 1971; Morton 2001.

⁸⁹As an example of the negative Roman stereotype of Spaniards, several sources report that they cleaned their teeth with urine, and even bathed in it: Catull. 37.20 and 39; Diod. 5.33.5; Apul. *Apol.* 6; Strabo 3.4.16 (C 164).

⁹⁰Liv. 42.63.3–12; 43.4.5–12; 43.7.5–8.10 (Crassus and Gallus); Liv. 43.4.8–13, 7.8–8.8 (Hortensius), with Gruen 1984: 297–98; cf. the catalogue of Roman mass enslavements, some in Greek lands, at Toynbee 1965: 2.171–73. For Roman financial exploitation of Greece, see Crawford 1977, conveniently reprinted in Champion 2004c: 96–107.

⁹¹Eckstein 1987: 73–101 (Ap. Claudius and the Messina crisis in 264); and 268–317 (Flaminius in Greece); cf. xxii: "Not only does much Roman decision making in foreign relations . . . appear ad hoc and improvised, but the institutional structures producing such decisions seem to have been remarkably diffuse and decentralized, even primitive. In other words, Roman senatorial government, and the Roman people with it, simply 'muddled through'."

⁹²The commander had a war council, or *consilium*, but final decisions on all matters in the field were his alone; see Goldsworthy 1996: 132–33, and sources collected there; Daly 2002: 133–34.

at Pydna, the general describes the encampment as being of paramount importance in military planning. It is described as a place of refuge (*portus*) against all of the accidents and misfortunes that can overtake an army; a base from which to launch an offensive, and a haven of safety (*receptus*) when soldiers have been tossed by the storms of battle (*iactati tempestate pugnae*). The camp is the shelter of the conqueror and the refuge of the conquered. It is the soldier's second home, Paullus says, and its rampart serves as the city's walls and his tent as his home, with his household deities (*penates*).⁹³ Just as the *urbs* defined the domestic and civilized sphere enclosed by the sacred city boundary, or *pomerium*, from the potentially hostile and dangerous territory lying beyond it, so the military encampment, marked off by its rampart, provided a civilized area of symmetry and order, with its *forum*, *praetorium*, *quaestorium*, and balanced, grid-plan of streets, over and against the wild and contested zone outside, where the enemy could be found.⁹⁴ Indeed, in his famous description of the Roman military encampment, Polybius says that it had the ordered appearance of a town.⁹⁵

As in a Roman household or in the city of Rome itself, the centrality of religious concerns in the military camp was unmistakable.⁹⁶ The *praetorium* of the commander was located at the very center of the encampment; the rest of the camp was precisely and rigidly laid out, with the *praetorium* as the central reference point of the army surveyors for the purposes of measurement.⁹⁷ It was here, at the *praetorium* and the space in front of it, that a *templum* was created; here the commander sacrificed, and here the entrails of sacrificial victims (*exta*) were inspected by the specialist priests of that art, the *haruspices*. It was also here that the observation of the feeding patterns of the sacred chickens took place (*auspicia ex tripudiis*), with the commander's tent serving as the *tabernaculum augurale*. In short, the general's tent was also the religious heart of the military encampment, and our sources refer to it as the place for augury (*augurale*, *auguratorium*), and as the temple (*templum*) or sanctuary of the army camp (ὁ νεῶς, or τὸ ἱερὸν τοῦ στρατοπέδου).⁹⁸

⁹³ Liv. 44.39.2–5.

⁹⁴ Foragers just outside the encampment were vulnerable to attack; for examples, see Polyb. 1.17.6–13; Caes. *BG* 4.32; 5.26; 8.10. Q. Cicero's camp was assailed in 53 by several thousand German cavalry without even the camp followers having any idea of their proximity (Caes. *BG* 6.37–41); cf. the attack of Mithrobarzanes on Lucullus' army as it was preparing to encamp (Plut. *Lucull.* 25. 3–4).

⁹⁵ Polyb. 6.31.10–11 (διάθεσις πόλεως); cf. 6.41.10–11; Veg. *Mil.* 2.25, *in quovis loco fixerit [legio] castra armatum faciat civitatem* ("wherever the legion sets down its camp, it makes an armed city"); Helgeland 1978: 1493, "Regarded as a city, the camp was a symbol of Rome itself on the frontiers; one might even say that the camp or fortress was regarded as a microcosm of Rome."

⁹⁶ Cf. Rüpke 1990: 165–83.

⁹⁷ Polyb. 6.27.1–2, with Walbank, *Comm.* 1.712.

⁹⁸ See Liv. 41.18.8, with Linderski 1986: 2174 and nn.97–100; cf. Gargola 1995: 28. There were three occasions when the consular general must take auspices: upon entering office, for a particular war, and on the day of actual battle; see Versnel 1970: 175. Generals could not attempt anything without correct auspicial observances: Cato, *de re mil.* frg. 4 (Festus 236 Lindsay), with Astin 1978: 49 and 184–85.

The consul or chief military commander would initiate, preside over, and ultimately determine what action to take as a result of sacrifice, ritual, and priestly advice. A late source, Pseudo-Hyginus, in describing the layout of the central square of the army camp, states that altars were placed in the lowest part of the *forum* and an *auguratorium* was located in the right-hand part of the *praetorium* toward the main street, or *via principalis*, where the general took the auspices. On the left-hand side was a tribunal, which the commander ascended after the *auguria* had been taken and addressed the army.⁹⁹ The basic layout and religious functions of the *praetorium* were probably not appreciably different in the republican period.¹⁰⁰ Certainly the general's announcement of the results of the auspices to his troops was primarily hortatory in purpose; this ceremony served to forge unity, solidarity, and a corporate identity in the army.¹⁰¹ But it is important to remember that in our period a large part of the army enclosed within the camp's ramparts was composed of allied troops (*socii*); on the most conservative of estimates well over 50 percent of armies were comprised of non-Roman soldiers, commanded by their own officers and financed and supported by their own communities while on campaign.¹⁰² How effective the commander's exhortations and the outcomes of his ritual performances would have been for allied troops in comparison with their citizen-soldier counterparts is open to debate. After all, the *socii* were not full participants in Roman culture, and their understanding of and investment in Roman religious practices and ritual performances would have been less than total.

The general's nearly complete autonomy of action was constrained by religious mandates. This was not a simple and straightforward process, in which attendant priests produced whatever ritual indications the general desired.¹⁰³ It is worth noting in this connection that Polybius, who states more explicitly than any other ancient writer that the Romans used religion as a tool for

⁹⁹Scholars debate the dating of the incomplete text of the treatise *De munitionibus castrorum*: from Domitian's reign to the third century C.E. The problem is complicated by the fact that the work is a composite, with a stratification of material from different periods; see Birley 1988: 53–57. The paraphrase is based on the text of A. von Domaszewski (*Hygini Gromatici liber de munitionibus castrorum* [Leipzig 1887] 11); cf. Tac. *Ann.* 15.30 (Corbulo).

¹⁰⁰For the *auguratorium* in republican military camps, see Linderski 1986: 2276–77, cf. 2174 and n.97.

¹⁰¹Cf. Polyb. 6.21.1–3 for the oath of allegiance administered to all new recruits; 6.33.1–2 (oath not to steal in the camp). For the corporate function of Roman army religion (but focusing on a later period), see Helgeland 1978.

¹⁰²See Brunt, *IM* 677–86; cf. Vell. Pat. 2.15.2, who states that before 90 allied conscripts made up two-thirds of the army, and further references assembled by Brunt 1962: 74n.56. For the method of conscription (*formula togatorum*), see Brunt, *IM* 545–48; Toynbee 1965: 1.424–37. For the earlier Republic, see Rawlings 2007: 51–53; for allied communities financing their own troops and commanded by their own officers, see Polyb. 1.7.7–8 (Decius Vibellius, the Campanian mercenary captain; cf. Cic. *Leg. Agr.* 2.93–94, with Syme 1955: 129); Polyb. 6.21.4–5; 10.16.4.

¹⁰³See Rüpke 1990: 148–51. Unfavorable omens could not easily be kept from the legionaries. Frontinus (*Strateg.* 1.12.1–12), gives twelve examples of commanders who had the ability to assuage their soldiers' fears, which were the result of bad omens.

political and social control, does not mention ritual practices of commanders and priests anywhere in his lengthy and detailed account of the Roman military encampment. This is significant because Polybius had direct experience of Roman army encampments, and his intention in this section is to impress upon his readership the severity of the soldiers' discipline and their absolute obedience to magisterial authority.¹⁰⁴ Other sources, on the contrary, report conflicts between priests and generals, and the general could face an apparently excruciating dilemma, whenever his diagnosis of the military situation was at odds with the prescriptions of religious ritual.¹⁰⁵ A famous example in the Roman tradition of the tension between the general's perception of military imperatives and the confinements of religious strictures involved P. Claudius Pulcher, the admiral at the naval battle at Drepana, who decided to ignore the advice of the *pullarii*, even committing the sacrilege of drowning the sacred chickens at sea, with disastrous consequences for the Roman fleet. According to tradition, the naval debacle was entirely the result of Claudius Pulcher's irreligiosity, and afterwards he was brought to trial by two tribunes for having neglected the divine signs, and heavily fined. Although he was acquitted of the charge of treason (*perduellio*), Claudius must have lived out the rest of his days in infamy.¹⁰⁶

The consul Q. Petilius Spurinus' actions in his military encampment during the Ligurian campaign of 176 and their consequences indicate how seriously commanders, priests, and experts at public law regarded divine signs. Petilius was joined by his colleague C. Valerius Laevinus at Campi Marci, where the two consuls purified their armies (*lustratio*) before dividing them (another example of commanders acting solely on their own authority in the field of military operations).¹⁰⁷ They had decided not to advance against the enemy from the same direction, and they cast lots (*sortitiones*) in order to determine the route for each of their armies to follow. Valerius cast his lot in accordance with auspicial protocol, but Petilius cast his—apparently inadvertently—into an urn lying outside of the consecrated area (*extra templum*); or so the augurs later reported. Petilius, in other words, had violated correct auspicial procedure (*vitium in auspicio*).¹⁰⁸

¹⁰⁴ Polyb. 6.56.6–13; cf. 16.12.9–10, with assembled references at Champion 2004a: 95n.80. The lengthy section on the Roman military camp: Polyb. 6.19–42, with Champion 2004a: 92–94.

¹⁰⁵ Cf. App. *Iber.* 85: Scipio Aemilianus expelled diviners and soothsayers (μάντεις καὶ θύτας) from his camp in Spain.

¹⁰⁶ For sources on Claudius Pulcher, see Broughton, *MRR* 1.214; Linderski 1986: 2176–77; Rosenstein 1990: 184–85 (no. 20a and b). Polybius (1.52.2–3, with Walbank, *Comm.* 1.115) connects the trial of Claudius with the loss of the fleet, but Cic. *Div.* 2.33.71 makes it clear that he was accused of contempt of auspices; see Linderski 1986: 2176n.110. P. Claudius Pulcher held no subsequent high office; he died soon thereafter, perhaps by suicide (F. Münzer, *RE* 3, col. 2858). Pulcher's consular colleague L. Iunius Brutus also lost a fleet near Camarina, but in a storm rather than in battle. He too was said to have disregarded auspices, and later committed suicide in disgrace: Broughton, *MRR* 1.214.

¹⁰⁷ On the *lustratio exercitus*, see Rüpké 1990: 144–46.

¹⁰⁸ See Liv. 41.18.5–16, with Linderski 1986: 2173–75.

Valerius had previously defeated the Ligurians, who at this time occupied two highpoints named Letum and Ballista along the Scultenna river.¹⁰⁹ In an address in camp to his soldiers, Petilius stated that on that day he would capture Letum. Livy notes that he did not consider the double meaning of this statement, since *letum* as a noun in Latin means “death.”¹¹⁰ The assault on Letum was successful, with the enemy dislodged from their seemingly impregnable position, but the consul was pierced by a javelin in the attack and died while the battle still raged. And so his death atoned for the religious violation in the *sortitio*. Moreover, it was later revealed by the keeper of the sacred chickens (*pullarius*) that there had been a ritual flaw, probably in taking the auspices, of which the consul had been unaware. Unfortunately, the text of Livy is lost at this point, so that it is impossible to learn from his narrative exactly how the senators in Rome reacted to these mixed fortunes.¹¹¹ Their dilemma was the fact that despite the ritual error, the Romans had won the battle with light casualties.¹¹² The explanation was that Petilius had unknowingly performed a sort of *devotio*: his death absolved his soldiers of any responsibility for the religious indiscretion and allowed them to prevail. Petilius’ story shows how in the Romans’ view even the smallest details of orthopraxy were crucial for success in military operations; and that it was the commander’s responsibility to respond to demands of ritual minutiae and to act according to their indications. Even in Aemilius Paullus’ safe haven, or oasis, of the military encampment, therefore, correct attention to and execution of religious mandates weighed heavily upon the general, and we should remember the fact that the high command personnel were throughout our period in the strict sense amateurs.¹¹³

Beyond the ramparts of the camp, on the march or in battlefield encounters with an enemy, the army of course became more vulnerable, and under these conditions pressures mounted for the commander.¹¹⁴ Although reconnaissance and intelligence were at times shockingly inept, they could be vitally important for survival. There are indeed impressive examples of intelligence gathering by Scipio Africanus in taking New Carthage and Marius in the Jugurthine war, while Caesar took pains to learn as much as possible about

¹⁰⁹For this river, rising in the Apennines and flowing past Modena, see Strabo 5.1.12 (C 218).

¹¹⁰Liv. 41.18.10; cf. Val. Max. 1.5.9.

¹¹¹At this point in the narration, nearly an entire quaternion of the *Codex Vindobonensis Lat.* 15 is missing, but cf. Val. Max. 2.7.15d; Front. *Strateg.* 4.1.46, preserving a tradition that had the Senate laying the blame for the consul’s death on the dereliction of the legion.

¹¹²Liv. 41.18.13–14: 5,000 Ligurian dead; 52 Roman casualties.

¹¹³Cf. Polyb. 11.8.1–2, mentioning that some generals’ knowledge was gained from military handbooks, with Campbell 1987 (focusing on the imperial period); also Goldsworthy 1996: 122, “There was no system of formal training as soldiers, no military college, at any time in Rome’s history, so that in this sense all Roman commanders were amateurs”; Austin and Rankov 1995: 87. For generals and religious rituals in departing from Rome and in camp, cf. Gargola 1995: 67, 79 and nn.38–40.

¹¹⁴For ritual performances on the march, see Rüpke 1990: 148.

Britain, though the results did not repay his efforts.¹¹⁵ But these were exceptional commanders, and their intelligence operations were by no means typical. Concerning the uncertainties of the army on the move, we have the story, perhaps apocryphal, of the famous entrapment and ignominious surrender of an entire army to the Samnites at the Caudine Forks in 321.¹¹⁶ Disastrous defeats at Trasimene in 217 and at Cannae in the following year were due in large part to the commanders' ignorance of Hannibal's troop dispositions and the topographical features of the battlefield areas.

Preliminaries to the decisive battle against the Macedonian King Philip V at Cynoscephalae provide a good illustration of the sudden, unexpected circumstances that could face the general and his army on the move. The proconsul T. Quinctius Flaminius advanced northward from Elatea in the spring; Philip marched south to Dium in Thessaly. The two armies each numbered well over twenty thousand men.¹¹⁷ Despite the massive size of these forces, the two generals conducted marches in which their armies nearly came within striking distance of one another but almost failed to make contact at Cynoscephalae, with neither Flaminius nor Philip knowing the exact whereabouts of his enemy.¹¹⁸ Caesar's commentary on the Gallic wars reveals the same sorts of danger for the army on the march. Gallic forces often occupied positions to ambush Roman armies, and at one point Caesar's scouts could not locate the Gauls at the Sambre.¹¹⁹ Germans were accustomed to attack along lines of retreat, and they arranged their forces before the arrival of their prey, as in the case of the most devastating massacre of the early Principate, the slaughter of P. Quintilius Varus' three legions in the Teutoburg forest.¹²⁰

Enemies, of course, operated in equally dangerous and uncertain circumstances. Hannibal's army was nearly destroyed by Gauls lying in ambush during its difficult march through the Alpine passes in 218, and Antiochus III almost met disaster in 209 from surprise attacks in a trek through mountainous landscapes during his Parthian campaign, when he passed through the tortuous regions of Hyrcania.¹²¹ The Carthaginian army was almost

¹¹⁵ Scipio: Polyb. 10.7.1–9.7, and further sources at Broughton, *MRR* 1.287; Marius: Sall. *Jug.* 88.2; Caesar: *BG* 4.20; Suet. *Iul.* 58.1. Perhaps the most notorious high-command blunderings with devastating results in all of Roman history occurred at Carrhae in 53, where the commander Crassus died (Broughton, *MRR* 2.230) and Adrianople in 378 C.E., where the emperor Valens perished (Amm. Marc. 31.12.10–13.19; cf. Austin and Rankov 1995: 241–43; Lenski 2002: 320–67).

¹¹⁶ For sources, see Broughton, *MRR* 1.151, with Cornell 1995: 352–55.

¹¹⁷ Plut. *Flam.* 7.2; Liv. 33.3.5–4.4–6, with Walbank, *Comm.* 2.572.

¹¹⁸ Polyb. 18.18.1, 20.1–21.4; Liv. 33.6.7–12; cf. Plut. *Flam.* 8.1–2; see also Polyb. 3.65.1–3; Scipio and Hannibal only learned how close their armies were to each other from foragers; and Plut. *Cat. Mai.* 13.1–4: uncertain whereabouts of the forces of Antiochus III Megas and the Aetolians at Thermopylae.

¹¹⁹ Caes. *BG* 2.7; 2.19 (Sambre); 3.20; 5.49; 7.12; 7.19.

¹²⁰ Caes. *BG* 5.32 (Eburones); 4.19; 6.29 (Suebi); Dio 56.19.1–5 (Varus and the debacle in the *Teutoburger Wald*).

¹²¹ Hannibal: Polyb. 3.49.5–56.4; Liv. 21.31.1–38.9, with Walbank, *Comm.* 1.361–95; cf. Hoyos 2003: 98–113; Antiochus: Polyb. 10.27.1–31.15, with Champion 2004a: 71–72.

entrapped and destroyed in the difficult ground near Falernum during its march from Samnium into Campania in 217. It escaped the clutches of the dictator Q. Fabius Maximus only through an ingenious ruse on Hannibal's part.¹²² Reconnaissance was such a concern to generals that they sometimes conducted it themselves, at grave personal risk.¹²³ A shining example was M. Porcius Cato's own inspection of the rugged ascent at Thermopylae, and his planning the route to attack and rout the forces of Antiochus III there.¹²⁴ The commander on the march, therefore, was under extraordinary pressures, and he was often reduced to a guessing game concerning the enemy's position and deployment.

Most harrowing of all was the actual battlefield encounter. Generals were frequently faced with a period in which the opposing army lay within sight, ready to engage, but did not immediately open hostilities. This could last for many hours, or even several days. For example, in 58 Caesar pitched his camp some two miles from his enemy Ariovistus. Then for five days he assembled his troops for combat, but the Germans declined the invitation to a heavy infantry encounter; instead they engaged in sporadic cavalry attacks. Commanders would send out intelligence-gathering missions during such a time, and there would normally be skirmishes, as in the case of the armies of Caesar and Ariovistus, as preludes to the set-piece battle.¹²⁵ Preliminaries to the climactic showdown at Zama, which ended the Second Punic War, show how opposing commanders bided their time in jockeying for an advantageous time and place for combat. Hannibal waited for a few days before shifting his camp from the area around Adrummentum to the vicinity of Zama, from which he sent out three spies to reconnoiter Scipio's position.¹²⁶ These spies were captured, but Scipio showed them his camp and supplied all the details about it, and then escorted them safely back to Hannibal's encampment. According to Polybius, Hannibal was struck with such great admiration for this magnanimous action that he arranged for a meeting with Scipio, who moved his camp before agreeing to the conference. It was only on the day following their conversation that they marshaled their troops for battle.¹²⁷ The psychological challenges resulting from impending fighting and prolonged waiting would have been considerable for the commander, and it is in this context that we must seek to understand

¹²² Polyb. 3.92.8–94.7, with Walbank, *Comm.* 1.427–30.

¹²³ In 208, for example, M. Claudius Marcellus was cut down with his scouting mission by Numidian cavalry: Polyb. 10.32.1–6, with Walbank, *Comm.* 2.242–43. For examples during the Principate involving emperors or future emperors, see Goldsworthy 1996: 130; generally, see Austin and Rankov 1995: 60–64.

¹²⁴ Plut. *Cat. Mai.* 13.1–4.

¹²⁵ Caes. *BG* 1.48; see Goldsworthy 1996: 125–45, 183–90. For an early example of delayed battle, see Liv. 9.32.5–6 (311).

¹²⁶ Polyb. 15.5.3–5; cf. Liv. 30.29.2–3; App. *Lib.* 39.

¹²⁷ For the meeting of Scipio and Hannibal, its historicity, and sources, see Walbank, *Comm.* 2.451–52.

the ritual sacrifices and other forms of divination that always preceded the actual clash of arms.¹²⁸

Once hostilities commenced, the suspense continued for the field-commander, and generals and priests performed sacrifices during combat in order to obtain the gods' favor. Engagements normally did not come to a quick conclusion, again certainly exacerbating the general's anxiety over the outcome. Battles were not the horrific but brief encounters that some scholars have posited for the classical Greek hoplites' experience; they rather could last for several hours.¹²⁹ These hours were not spent in continual mortal struggle; instead, there was considerable inactivity on the part of the soldiers during which the opposing sides could recoup their strength and engage in mutual taunting, building up to an unleashing of pent-up rage in close encounters in the killing zone (and it is well to remember that commanders always held forces in reserve in multiple-line formations in order to have fresh men who could exploit the sudden opportunity of a breach in the enemy's lines). Philip Sabin has convincingly argued for a combat model of such hesitation punctuated by periodic violence.¹³⁰

For an extended time, therefore, the result of a military engagement would hang in the balance, and the general's perceptions of the *melée* could vary from moment to moment, with his emotions fluctuating wildly between jubilation and despair. At Pharsalus, for example, Pompey, who had prepared his camp for celebrating an anticipated victory, nervously looked to various parts of the battlefield once the action had begun, especially concerned for the cavalry on his left flank. He only knew that all was lost from the direction of the dust cloud thrown up by the hooves of his retreating horses.¹³¹ As apparently was the case with Pompey at Pharsalus, the commander might take up a position behind the army from a vantage point where he could survey the unfolding of events, but more often he would move just behind the front lines, exhorting his troops and making tactical unit adjustments.¹³² Livy reports that, according to some of his authorities, at the Battle at Sentinum the consuls only learned of the loss of a legion when they sighted the enemy

¹²⁸For divination from electrical flashes from soldiers' arms (*ex acuminibus*), see Cic. *Div.* 2.36.78; cf. *NatD.* 2.3.9; Plin. *HN* 2.37.101; Sen. *QN* 1.1.14; Liv. 22.1.8; 43.13.6–7.

¹²⁹See, for example, Liv. 22.6; 23.40; 24.15; 25.19; 27.2; 27.12, with Sabin 2000: 4–5, and further sources cited there.

¹³⁰Sabin 2000: 15, “This kind of dynamic stand-off punctuated by episodes of hand-to-hand fighting could continue for some time until one side finally lost its ability to resist, thereby breaking the bonds of mutual deterrence and encouraging the opposing troops to surge forward and begin killing in earnest, their gnawing tension and fear now released and converted into an orgy of blood lust.” See also Goldsworthy 1996: 225–27; Sabin 2007, esp. 425–29.

¹³¹Plut. *Pomp.* 71.1–72.4; Caes. *BC* 3.96, with Seager 2002: 166–67. For an evocative study of the utter confusion of commanders and soldiers during battle and the near impossibility for participants to reconstruct what actually happened in the First World War, see Fussell 1975.

¹³²See Onasander, *Stratēgikos*, 33.6; and for examples, Caes. *BG* 2.20–26; 3.93–94; 5.35; App. *BC* 4.126; Plut. *Brut.* 41; Tac. *Hist.* 4.77; 5.20–21, with Goldsworthy 1996: 156–63.

Gauls from afar and then discerned the decapitated heads of some of their soldiers dangling from the breasts of the horses in the enemy cavalry formation, or affixed on the enemy's lances.¹³³ Another Livian passage informs us that C. Flaminius at Trasimene rode around the battlefield encouraging his troops, and then fell fighting in hand-to-hand combat.¹³⁴ At Dyrrachium Caesar was at the front when an attendant severed the arm of one of his own men, who retreating in the grip of terror was about to attack his general.¹³⁵ In 43 both consuls, C. Vibius Pansa and A. Hirtius, perished near the front lines.¹³⁶ At such times, the commander's understanding of the course of a battle as a whole would have been little better than a rank-and-file soldier's.

The Sicilian Greek historian Diodorus stated that the Romans were excessively prone to exhibit fear and awe in religious matters, and in this section we have considered why his general pronouncement would have been particularly apt for generals in the field of military operations.¹³⁷ Any idea that there was such a thing as a "grand strategy" of empire, serving as a sort of blueprint for the individual field-commander, is illusory. The general was on his own, and on campaign he was a potentate in every sense of the word—except for the constraints that religious prescriptions placed upon him.¹³⁸ Concerning matters of major importance he would typically consult his war council or *consilium*, but in the end he alone would decide on what actions to take.¹³⁹ The commander's decisions were final, and they could determine whether he and his army would live or die. Matters of logistics—transportation, the baggage train, and food supply—were concerns almost as pressing as battlefield engagements with an enemy.¹⁴⁰ In the field, he could expect no guidance in the form of formal directives from the Senate in Rome. Uncertainties and surprises were his lot: reconnaissance missions might yield information that was misleading or simply wrong; allies might prove to be treacherous; and actual combat almost invariably presented the unexpected. Battles themselves were scenes of utter chaos and confusion—and of prolonged duration. Enormous psychological pressures consequently weighed heavily on the field-commander. Moreover, he would frequently expose himself to grave physical dangers near the front line during combat. Under such circumstances, we are justified in thinking that Roman commanders relied

¹³³Liv. 10.26.11–12.

¹³⁴Liv. 22.6.1–4; cf. the very different account of Flaminius' behavior at Polyb. 3.84.1–7; Cic. *Div.* 1.35.77–78; 2.8.21; 2.31.67.

¹³⁵Plut. *Caes.* 39.4; App. *BC* 2.62.

¹³⁶For sources, see Broughton, *MRR* 2.334–36, with Goldsworthy 1996: 163–65; Sabin 2000: 12.

¹³⁷Diod. 36.13.3, σφόδρα γὰρ δεισιδαιμονοῦσι; cf. Polyb. 6.56.6–13.

¹³⁸Cf. Polyb. 6.12.5 on the consuls when on military campaign, σχεδὸν αὐτοκράτορα τὴν ἐξουσίαν ἔχουσιν ("they hold almost unlimited powers"); cf. 6.14.2–3.

¹³⁹Cf. Sabin 2007: 406–407.

¹⁴⁰See Polyb. 6.40.1–14 for the Roman order of marching and how commanders adjusted it in times of danger.

on religious orthopraxy, whose function was to allay emotional upheavals and soothe psychological stress. Several case studies in the following section support that contention.

III. ELITES' RELIGIOUS BEHAVIORS IN WARFARE: CASE STUDIES

Livy's famous story of the *devotio* of P. Decius Mus at Campanian Veseris in 340 can serve as a dramatic opening for this section. Decius sacrificed himself in battle against the Latins in order to secure the gods' good-will and the success of his colleague and the legions. These early republican heroics may be more legendary than historical, since Livy reports that Decius' son devoted himself in the same fashion at Sentinum in 295; and indeed, a third Decius (perhaps the grandson of the consul in 340) was said to have devoted himself—or at least to have tried to do so—at Ausculum in 279.¹⁴¹ The hoary ritual practice of *devotio* has a strong presence in the Roman historiographical tradition, and it is likely that there is some historical kernel of truth in these stories. Otherwise, how and why did they arise, and why were they associated with this one family? Only the most incredulous, it seems to me, would discount the historicity of all of the self-sacrifices of the Decii (the historicity of the *devotio* at Sentinum has had the most adherents).

Devotiones—granting their uncertain historicity—strongly suggest that elite commanders took their religious practices seriously. Let us look at another historical situation before the period of our main chronological focus. The dictatorship was an extraordinary magistracy, to be employed only in times of extreme emergency. It was established shortly after the expulsion of Rome's last king in order to provide a temporary solution to either domestic or military crises. The term was for six months, or until the crisis was resolved, and the dictator's powers were virtually unlimited: sole commander in the field of military operations, his authority was not subject to veto or appeal. Unlike other magistrates, the dictator was not elected but rather nominated by the consul after discussion in the Senate. He was master of the infantry forces (*magister populi*), and he named a master of the cavalry (*magister equitum*) as his assistant. In the fourth century, the exceptional powers of the dictator were still undiminished.

In 325, in the course of the Second Samnite War, L. Papirius Cursor was appointed as dictator in order to press on with the war in Samnium. He named Q. Fabius Rullianus as his master of the cavalry. Our principal source is Livy, who narrates a fierce dispute between Cursor and Rullianus regarding magisterial authority. Before the dictator left for Rome from his camp at Imbrinium,

¹⁴¹For sources, see Broughton, *MRR* 1.135 (340), 177 (295); 192 (279), to which add Ennius, frgs. 191–94 Skutsch, with Oakley 1998: 477–86.

he enjoined Rullianus to remain quiet and not to engage in military operations until after he should rejoin the army. But the Samnites through their negligence offered opportunities for a signal victory that Rullianus was unable to resist. His attack was successful, and the Samnites were routed, but Rullianus' disobedience infuriated Cursor upon his return to camp. The struggle between dictator and master of the cavalry almost brought the soldiers to sedition, and threatened with scourging by the dictator for his offences, Rullianus escaped and fled to Rome. Cursor followed him there, and he relaxed his wrath only after repeated entreaties by Rullianus, his father, the tribunes, and the People. After this reconciliation, returning to the campaign with a gentler demeanor, Cursor led his army to a crushing and decisive victory. The elaborate scene in Livy's masterly rendition is an invitation to contemplate the proper boundaries of military authority, order, and discipline.¹⁴²

The important question for our discussion is this: why was the commanding officer absent at a time of an imminent battlefield encounter? Apparently Cursor returned to Rome at this time because there were suspicions that he had not performed the auspices correctly before setting out from the city. He returned to the capital on the advice of the *pullarius*, keeper of the sacred chickens. His behavior cannot fail to baffle any contemporary reader, since the army in the field was at a critical juncture at the moment its commander chose to depart in order to commence a day-long march to retake auspices at Rome.¹⁴³ This is not the singular instance of such behavior on the part of a Roman general. It was repeated at the end of the fourth century by the dictator M. Valerius Maximus, and in 217 and again in 216, at a time when the threat from Hannibal in Italy was at its greatest, the dictators Q. Fabius Maximus and M. Iunius Pera also returned to Rome to retake auspices.¹⁴⁴

We have a somewhat analogous situation in the year following the debacle at Cannae, the worst military defeat in the Republic's history, when we find another instance in which religious prescriptions seem to have stood in the way of political and military imperatives. In 215 M. Claudius Marcellus, a proven veteran commander, who in the course of the Hannibalic War would serve as consul on several occasions, was elected *consul suffectus* after L. Postumius Albinus had perished in Gaul as consul designate. Livy tells us that men anxiously waited for the remaining consul, Ti. Sempronius Gracchus, to hold an election in order to replace his fallen colleague. But Marcellus,

¹⁴² Liv. 8.30.1–36.12, with further sources assembled by Broughton, *MRR* 1.147; on Livy's narration of the episode, see Oakley 1998: 704–707.

¹⁴³ Following the conjecture of Salmon 1967: 224 and n.3, locating Imbrinium in the Liris valley.

¹⁴⁴ Liv. 10.3.6 (M. Valerius Maximus); Liv. 22.18.8 (Fabius in 217); 23.19.3–5 (Iunius Pera), with further discussion and sources at Oakley 1998: 708 *ad* Liv. 8.30.2, to which add Polyb. 3.94.9. Smith 1996: 201, questions whether Fabius returned in order to perform the *sacra* of his *gens*, or because his presence was required for state cult. In my view, the latter is more likely. It is noteworthy that in 209 Fabius did not attempt to capture Metapontum because of unfavorable auspices and on the advice of a *haruspex* (Liv. 27.16.13–16, with Broughton, *MRR* 1.285).

whom they nearly unanimously desired to be elected due to his excellent performance in the preceding year as praetor, was away from Rome. In that year he commanded the fleet at Ostia, and thereafter the remnants of the army after Cannae at Canusium; he stood against Hannibal at Nola and Casilinum in Campania; and then he was called to Rome as a select advisor for the future strategy of the war.¹⁴⁵ Indeed, in 222 during his first consulship he had heroically slain the king of the Insubrian Gauls in hand-to-hand combat, and for this exploit he was the third and last commander in Roman history to dedicate the *spolia opima*, the highest military honor at Rome.¹⁴⁶ At this time, in 215, he was away from the city with proconsular *imperium* negotiating with Nola and skirmishing against Hannibal, and as Livy makes clear, the overwhelming sentiment at Rome was that he was the man of the hour. The surviving consul Gracchus purportedly said in a speech that Marcellus was the consul whom the critical situation demanded and whom the People most desired (*quem tempus rei publicae postulare, quem maxime voltis*); and he therefore recommended the postponement of the election until after Marcellus' return to Rome.¹⁴⁷

What followed is difficult to fathom. After Marcellus returned to Rome from the army, an election was declared by senatorial edict in order to fill the vacant consulship. Marcellus, unsurprisingly, was nearly unanimously elected (*ingenti consensu*), and he was to assume the office immediately (*ex-templo*) by taking impetrative auspices (signs received as a result of taking auspices, as opposed to oblativae auspices, which were sudden, unsolicited signs from the gods). But just as he was performing these rites thunder was heard, the augurs were summoned, and they declared that there had been a flaw in Marcellus' election.¹⁴⁸ Most scholars have explained this event solely in terms of the political machinations of Marcellus' enemies, especially Fabius Maximus; some have even maintained that Marcellus was himself privy to a political hoax.¹⁴⁹ In the context of the precarious situation the Republic

¹⁴⁵Liv. 22.57.1–2, 7–8; Plut. *Marc.* 9.1; App. *Hann.* 27 (Ostia and Canusium); Liv. 23.14.10–17.3, 19.4, and further sources at Broughton, *MRR* 1.248 (Nola and Casilinum); Liv. 23.24.1–2, 25.5 (called to Rome as advisor).

¹⁴⁶For sources, see Broughton, *MRR* 1.233; for the *spolia opima*, see Rüpke 1990: 217–23. To be sure, Marcellus, like all Roman politicians, had his enemies: the senators denied his request that survivors from Cannae in Sicily be permitted to return home, certainly with some personal insult and perhaps at the instigation of Fabius (Liv. 25.5.10–7.4; Plut. *Marc.* 13.2–5); his dedication of the temple of *Honos* and *Virtus* was long delayed by the *pontifices* (Liv. 27.25.7–10; Broughton, *MRR* 1.290); and in 211 the Senate snubbed him with an *ovatio* instead of a triumph (Liv. 26.21.1–10), with McDonnell 2006: 206–40; cf. the vitriolic—but ultimately ineffective—attack against Marcellus in 209 by the tribune C. Publicius Bibulus at Liv. 27.20.9–21.4.

¹⁴⁷Liv. 23.31.8–9; for Livy's complex characterization of Marcellus, see Levene 2010: 197–214.

¹⁴⁸Liv. 23.31.13 (*vitio creatum videri pronuntiauerunt*); cf. Cic. *Div.* 2.18.42, who reports from *nostri commentarii* that thunder was a most inauspicious sign for popular assemblies.

¹⁴⁹For example, Scullard 1973: 58, "the election and withdrawal of Marcellus may even have been staged by him and Fabius in order to moderate the ambitions of the people, and the unprecedented election of two plebeian consuls have been encouraged merely in order that the patricians could

was facing at this time in the aftermath of Cannae, it is difficult to accept such a Machiavellian interpretation. After all, Fabius and Marcellus would be consular colleagues in the following year, the putative theatrics of Marcellus' departure from the army in order to participate in a mock election at Rome at such a time is nearly incredible, and according to Livy the presiding consul, Ti. Sempronius Gracchus, and other senators wholeheartedly recommended Marcellus. Moreover, Marcellus, himself an accomplished augur, apparently took divination seriously enough that he sometimes traveled in a closed litter so that he would be unable to see unpropitious signs.¹⁵⁰ Is it outlandish to entertain the idea that the occurrence of thunder—or at least the report of its occurrence—and the augural law concerning it overrode what a significant number of the senators genuinely perceived as the political and military needs of the moment?

By this time, the Romans had recently learned a hard lesson about disregarding auspices, or so the ancient historiographical tradition represents it. C. Flaminius was a "new man" (*novus homo*); that is, he did not rise from an established political family at Rome, having produced consuls, censors, and *triumphators* in its past. The hostile ancient tradition views him as a rabble-rousing, demagogic politician who undermined the Senate's authority and paved the way for the destructive *populares* of the later Republic.¹⁵¹ As a result, a balanced assessment of his career is difficult to achieve. Elected tribune of the plebs in 232, he carried a land-law in the Tribal Assembly against senatorial opposition that distributed individual allotments to indigent Roman citizens in the *ager Gallicus* (between Sena Gallica and Ravenna). His more conservative senatorial colleagues hated him for this measure, as reflected in Polybius' condemnation of it and his allegation that it led to the Gallic invasion of 225.¹⁵² In 227 Flaminius was elected praetor and served in Sicily—the first to do so on an annual basis. As consul in 223, he was recalled to Rome, along with his consular colleague, P. Furius Philus, in order to resign his magistracy because of reports of unfavorable portents, after he had already taken the field against the Insubrian Gauls. Ignoring this senatorial injunction, Flaminius won a military victory over the Insubres and celebrated a triumph for his victory by popular vote in the face of senatorial attempts to obstruct it.¹⁵³ Throughout his career

publicly voice disapproval and by augural procedure force a plebeian consul to abdicate to make room, with an appearance of reluctance, for a patrician. If Fabius carried through such a farce with Marcellus' cooperation, the impression made upon the plebeians would have been considerable because Marcellus was not an aspiring young magistrate, but an ex-consul who had won the *spolia opima* and received a triumph"; cf. Lazenby 1978: 94–95, 99–100; Linderski 1986: 2168–73, for this and other political explanations of the aborted election.

¹⁵⁰ Cic. *Div.* 2.36.77.

¹⁵¹ For an account of his career, see Feig Vishnia 1996: 11–48; for Polybius' bias against demagogic politicians and censure of Flaminius, see Champion 2004b and Champion 2013.

¹⁵² Polyb. 2.21.8–9.

¹⁵³ Zonar. 8.20.

Flaminius was an independent-minded renegade in the Senate. As an example of Flaminius' independence, Livy states that he was the only senator to support the *lex Claudia*, which prohibited senators and their sons from owning sea-going ships of more than seven tons carrying capacity.¹⁵⁴

Flaminius was elected to his second consulship in 217. According to the tradition, he left Rome before the Ides of March and the official beginning of his tenure of office. Moreover, he flouted religious imperatives repeatedly by neglecting to take auspices at Rome, assuming his *imperium* at Ariminum and ignoring unfavorable omens. Following Hannibal with his army through Etruria, hampered by poor visibility and caught in the ambush at Lake Trasimene, he perished there with some 15,000 of his men. The sources attribute the disaster to his general incompetence, and especially to his religious blunders.¹⁵⁵ Flaminius is a somewhat special case insofar as he labors under a vehemently hostile senatorial tradition—it is easy to think that his enemies in the Senate helped to create religious interdictions in order to thwart his political and military ambitions—but he is not the only commander-cum-scapegoat whose violation of ritual prescriptions provided a ready-made explanation for military disaster. Some attributed the defeat and death of the consul of 176, Q. Petilius Spurius, to the troubles he had in obtaining favorable auspices upon entering office and the faulty way he had drawn lots in dividing responsibilities with his colleague.¹⁵⁶ P. Claudius Pulcher's drowning of the sacred chickens before the naval disaster at Drepana is perhaps the most famous story of such sacrilege and its accompanying retribution, but there are many others.¹⁵⁷ The charge of commanders' religious neglect—and consequent military disasters—could help to preserve the effective integrity of ritual performances. But the behavior of several famous, and enormously successful, generals illuminate another dimension of ritual orthopraxy.

T. Quinctius Flamininus was undoubtedly one of the Republic's most skilled generals and statesmen. As consul in 198, he was assigned to the province of Macedonia, thereby inheriting the war against Philip V, which had bogged down without signal success under his predecessors. Apparently an ardent Philhellene, he was comfortable in his diplomatic overtures to the Greek states, and he managed to ensure that the Achaean Confederation would not revert to its allegiance to Macedon. As proconsul Flamininus won

¹⁵⁴Liv. 21.63 (218).

¹⁵⁵Liv. 22.9.7; for further sources, see Broughton, *MRR* 1.242; for the hostile tradition, see, for example, Polyb. 3.77.1–84.15.

¹⁵⁶Liv. 41.14.7–18.16, with Linderski 1986: 2173–75, and further sources assembled by Broughton, *MRR* 1.400.

¹⁵⁷M. Claudius Marcellus was to perish in a reconnaissance expedition in 208, according to one tradition because he had ignored the warnings of a *haruspex*: Liv. 27.26.13–27.11; Val. Max. 1.6.9; Plut. *Marc.* 29.4–9; but cf. Polyb. 10.32.7, with Eckstein 1995: 28–29. For further examples, discussion, and sources, see Rosenstein 1990: 54–91.

the decisive battle at Cynoscephalae, and in the following year he issued the astounding Isthmian Proclamation at Corinth, guaranteeing the “freedom” of the Greeks. Within two years the armies evacuated Greece, backing up the proconsul’s spectacular rhetorical performance at the Isthmus of Corinth. Modern scholars have tended to view Flamininus as a shrewd and crafty politician and statesman, who knew well how to play “hardball” when necessary and who understood the nuances of Greek diplomatic terminology and how best to exploit them to his advantage.¹⁵⁸

This is certainly a valid characterization, but an ancient tradition suggests that there was another side to the general, which stands in sharp contrast to the image of a rational, calculating, and perhaps skeptical Philhellene. Tensions between Flamininus and the Aetolians were rife in the late 190s as a result of the Isthmian Proclamation. During the course of the First Macedonian War, probably in the autumn of 211, Rome had made an alliance with the Aetolian Confederation, Philip’s inveterate enemy. From a Roman perspective, the Aetolians later in 206 had the effrontery to conclude a peace with Philip without consulting the Senate, and this act in the senators’ view invalidated the treaty. From an Aetolian perspective, Flamininus’ pronouncement at Corinth violated the terms of the Roman-Aetolian alliance, which stipulated that cities taken in Greece were to be admitted into the Aetolian Confederation.¹⁵⁹ Under the influence of seething resentment resulting from these irreconcilable interpretations of the agreement, the Aetolian statesman Archidamus, during a speech given in Achaëa in 192, charged that the Aetolians, and not the Romans, were responsible for the defeat of Philip V, and he belittled Flamininus’ skills as a commander. Instead of performing his proper military functions at Cynoscephalae, Archidamus alleged, Flamininus was preoccupied with taking auspices, sacrificing, and performing vows in the manner of a lowly priest.¹⁶⁰

Archidamus’ allegations about the religious concerns of Roman generals in the course of actual battles are supported in the tradition of another famous victory over a Macedonian king. One of the most momentous battles in all of Roman history occurred at Pydna on the northeast coast of Greece on 22 June 168. The defeat of King Perseus on that battlefield led to the abolition of the Macedonian monarchy and sealed the fate of the Greek states for centuries to come. As the astute observer Polybius noted, henceforth the Greeks understood that they were to be the servants and subjects of the Romans, and in the original conception of his work it was at this point that he determined to close his monumental study of Roman imperial expansion. By this time,

¹⁵⁸ See Badian 1970; cf. Gruen 1984: 132–57.

¹⁵⁹ SEG 13.382; Liv. 26.24.1–15; for the date of the treaty, see Walbank, *Comm.* 2.11–13.

¹⁶⁰ Liv. 35.48.13, *auspicantem immolantemque et vota nuncupantem sacrificuli vatis modo in acie vidisse*; see also Plut. *Comp. Philop. et Flamin.* 2; cf. Plin. *HN* 28.11. Polybius (18.21.5) omits Archidamus’ slurs against Flamininus.

as he tells us, the Roman dominion throughout the entire inhabited world, or *oikoumenē*, had been established—an astonishing development having taken place within the short compass of some fifty-three years.¹⁶¹

Shortly before the decisive military encounter at Pydna, after the consul L. Aemilius Paullus had painstakingly taken all measures in fortifying his army's encampment, C. Sulpicius Gallus, tribune of the soldiers with the second legion, predicted that on the following night there would be an eclipse of the moon between the second and fourth hours. With the consul's permission he called an assembly of the soldiers and proceeded to explain that they were about to witness a regular, natural occurrence, which could be calculated and predicted. The impending celestial event, he stressed, should therefore not arouse religious torment nor be taken as an ominous prodigy; rather they should realize that the darkening of the sky would be nothing more than the moon being concealed by the earth's shadow. Fortified by this rational explanation, the Roman troops observed the eclipse with equanimity, while the opposing Macedonian soldiers were shaken to the core, believing it to be an omen foretelling their doom.¹⁶²

Paullus, however, delayed military engagement against the enemy forces of Perseus. Livy states that he seemingly had lost a good opportunity for battle and had given the Macedonians a chance to withdraw during the night. On the following day, it was alleged, he should have given the signal at dawn and gone out to fight, but instead he wasted time on the pretext of offering sacrifices. Finally, at the third hour, after completing the ritual sacrifices, he called together his war council, but again he seemed to be procrastinating. At this point Livy gives a speech to the consul, in which he says that he had good reasons for postponing the battle: the numbers of the enemy; the fact that his troops needed rest; the enemy's better preparations; the necessity of preparing the military encampment properly before turning to hostilities; the unlikelihood of the enemy forces attempting to flee from the Romans, and the great advantage if they should try to do so.¹⁶³

Ancient historians' reports of speeches by historical agents present one of the more vexing problems in trying to understand classical historiography and its conventions. It has become something of a scholarly orthodoxy (one to which I myself once subscribed) to assume that in almost every case—especially in battlefield contexts—there simply were no written transcripts of the speeches in question at the historian's disposal. Consequently, reported speeches in ancient historians are largely literary creations of the

¹⁶¹ Polyb. 3.4.1–9; 1.1.5; cf. 8.3.3–4.

¹⁶² Liv. 44.37.5–9; cf. Polyb. 29.16; Val. Max. 8.11.1; further sources assembled by Engels 2007: 522n.254; cf. Levene 1993: 118–20. Similar stories were told about Pericles (Plut. *Per.* 35.1–2) and Agathocles (Front. *Strateg.* 1.12.9; Justin. 22.6.1–5; Diod. 20.5.5). Cic. *Sen.* 14.49 mentions Gallus as a geometer and astronomer; for his career, see Broughton, *MRR* 1.429.

¹⁶³ Liv. 44.37.12–39.9.

historian or his sources.¹⁶⁴ That position should be tempered, although it is undoubtedly true in certain cases (for example, the programmatic statement at Thucydides, 1.22, the 'Constitutional Debate' at Herodotus, 3.80–83, the lengthy oration of Appius Claudius in 486 in Dionysius of Halicarnassus), and it is certain that ancient historians embellished the material they did have at hand.¹⁶⁵ Yet it is clear that several second-century speeches of Roman statesmen were available in Livy's time: the historian declined to reproduce the speech of Cato the Elder on behalf of the Rhodians because a written transcript was available in Cato's *Origines*, and he had access to some of the principal actors' speeches in the trials of the Scipios.¹⁶⁶

The value of reported speeches in the works of ancient Greek and Roman historians, therefore, is probably greater than some scholars have allowed, but few would contest the idea that Livy often tailors his speeches to fit his own rhetorical and narrative purposes. The speech he attributes to Aemilius Paullus may well be a case in point. Here Livy has Paullus rationalize his behavior in an address designed to refute his detractors. In the case of this speech, we have some reason to doubt that these were the sentiments Paullus expressed to his *consilium*, or war council. Plutarch preserves a tradition that is somewhat at odds with Livy's rationalizing account, but his story is in line with the allegations that Livy's Paullus attempts to refute. In Plutarch's brief account, we see nothing that would lead us to believe that Paullus' sacrificing was little more than a pretext, as Livy suggests. According to him, Paullus refused to begin the battle until after the twenty-first sacrificial victim had finally yielded a propitious indication. Plutarch appears to have followed different sources from Livy's for this detail of Paullus' behavior during the battle at Pydna, and it is significant that Plutarch's bald statement contains no trace of any derogatory commentary (as is the case with Flamininus, which we have considered above).¹⁶⁷ It is worth mentioning in this context that Paulus was known as an exceedingly upright and pious individual, who prayed

¹⁶⁴See the extreme position taken by Woodman 1988: "verbatim speeches and classical historiography are a contradiction in terms" (13); cf. Champion 1997a: 112–17, and literature cited there.

¹⁶⁵As in the case of Tacitus' rendition of the emperor Claudius' speech in 48 C.E., concerning the admission of Gallic nobility to the Senate, which is also preserved epigraphically (Tac. *Ann.* 11.23; *ILS* 212).

¹⁶⁶Liv. 45.25.2–4 (Cato's *pro Rhodiensibus*); Liv. 38.56.5–6 (trials of the Scipios, though Livy is uncertain about the speeches' authenticity). Polybius was able to consult a transcript of a speech by the Rhodian ambassador Astymedes to the Senate (30.4.11–12, with Pédech 1964: 275–76). See Luce 1977: 183n.104, for a list of second-century Roman speeches available to Livy.

¹⁶⁷Plut. *Aem.* 17.10–13 (*usque ad litationem*, in Roman terms); on the respective sources of Livy and Plutarch on Paullus' ritual performances during the battle at Pydna, see Nissen 1863: 265–66, 300–301; cf. Reiter 1988: 53 and n.173; Engels 2007: 523n.256. Cf. the behavior of M'. Curius in his military camp during the Pyrrhic War (Plut. *Pyrrh.* 25.2–4). We may compare the intersection of military and ritual practices in late medieval and Renaissance Florence. For example, on 19 August 1499, the Florentine *condottiero* Vitelli asked that a religious procession bearing the celebrated tabernacle of Our Lady of Santa Maria Impruneta coincide with his attack against Pisa on 24 August. The Florentine Signoria accordingly changed the date for the procession, indicating a belief that synchronized

to the Capitoline triad that any misfortune should befall him rather than the state he served. The death of his son (some sources report the deaths of two sons) shortly before his triumphal procession seemed to be an answer to his prayer. According to some of our sources, Paullus spoke of his personal misfortune in a public speech with equanimity and thanks to the gods.¹⁶⁸ In any event, his religious behavior during battle, like that of Flamininus at Cynoscephalae (as Archidamus represented it), indicates serious commitment to ritual orthopraxy on the part of Roman generals.¹⁶⁹

Polybius depicts P. Cornelius Scipio Africanus as a shrewd general and statesman. He takes great pains to represent Scipio as the consummate rationalist, and this objective may cause him to distort historical realities. For example, when Polybius comes to describe Scipio's capture of New Carthage in Spain, he states that Scipio was knowledgeable of the city's topography, fortifications, and the layout of its surrounding lagoon, having learned from some fishermen who had worked there that it was quite shallow and for the most part fordable, with its water generally ebbing every day towards evening. Neither Livy nor Appian suggest daily repetition of the lagoon's ebbing at the same time, an oceanographic impossibility. Polybius' reference to a regular evening ebbing must be a generalization based on the time it occurred on the day in question. But Scipio's observation of this maritime regularity, which seems to bend physical laws in order to serve rhetorical purposes, excellently suits Polybius' picture of his rational, calculating hero.¹⁷⁰

Regarding religious practices, Polybius' image of Scipio conforms to his own famous programmatic statement on Roman elite skeptics employing religion as an instrument for political and social control of nonelites.¹⁷¹ Polybius was determined to counter the popular image of Scipio as a mystic, and to show that his great achievements were due to rational planning, and not to good fortune and favor of the gods. He likens Scipio to the legendary Spartan lawgiver Lycurgus. According to him, both men had a low regard for the common man, who needs to be fortified by heaven-sent hopes. But Scipio's disingenuous religiosity, according to the historian, did not stop with the commoner. As a youth Scipio had duped his own mother into allowing him to run for the office of aedile along with his brother Lucius by reporting to her that in his dreams he had received divine favor for the attempt.¹⁷²

military and ritual actions would enhance the chances of the desired result: victory on the battlefield; see Trexler 1973: 135–36; cf. Muir 1981: 241–42.

¹⁶⁸For sources, see Engels 2007: 526–27 (RVW 194).

¹⁶⁹For commanders' ritual and psychological preparations before battle, see Rüpke 1990: 152–56.

¹⁷⁰Polyb. 10.8.1–9.1, with Walbank, *Comm.* 2.203; Liv. 26.45; App. *Iber.* 21.

¹⁷¹For Polybius' omissions and silences on elites and religion at Rome, see Vaahtera 2000.

¹⁷²Polyb. 6.56.6–12 (programmatic statement); 10.4.1–5.10; cf. 10.9.2–3 (dream about aedileship); cf. Scipio's observation on the multitudes to his rebellious troops in Spain at Polyb. 11.29.9–12.

Without question Scipio promoted an image of himself as divinely favored. According to legend, every day he entered the temple of Jupiter Capitolinus before dawn in order to commune with the god.¹⁷³ Certainly this behavior was politically advantageous for Scipio, but we need not accept the crass and skeptical interpretation of Scipio's actions that Polybius puts forward. The most famous Polybian example of Scipio manipulating religion in order to instill bravery and discipline in his troops is found in the account of the capture of New Carthage. According to the historian, Scipio told his troops that Neptune (or Poseidon, in Polybius' Greek) had visited him in dreams and assured him that the god's active support would be made manifest in the city's capture, while the general himself perfectly understood the nature of the ebb-tides upon which his whole plan rested.¹⁷⁴ I shall postpone further discussion of Scipio Africanus' religious position, but for now we can note Scipio's frequent recourse to the gods, and Polybius' interest in representing his religious actions in elite-instrumentalist terms, which may mask and distort Scipio's motivations. As we shall see, consideration of an understudied episode in the war against Antiochus III supports such an interpretation.

In closing this section, let us turn from spectacular military success stories exhibiting generals' exacting attention to ritual imperatives, to a notorious military debacle, in which elite religious preoccupations are again striking. As we have seen, the Spanish theater of military operations in the mid-second century was a source of great frustration for the Senate. Generals sent there were for the most part ineffectual. They either made no headway against the Iberian tribes, the most formidable of which were the Celtiberians and Lusitanians, who frequently fought them to a stalemate, or Roman armies suffered outright military defeats at the hands of their daunting Spanish opposition. When commanders did gain an advantage, they often retaliated with the most heinous of massacres, as in the cases of M. Atilius Serranus, L. Licinius Lucullus, and Ser. Sulpicius Galba. It is no surprise that with the prospect of an unprofitable campaign in rough, mountainous terrain against fearsome guerilla tactics, military recruitment for service in Spain was most difficult, and army morale there was at its nadir.

¹⁷³ Liv. 26.19.3–9 (duplicating Polybius' cynicism); Gell. NA 6.1.6 (BNP 2.216–17 (9.1a)); *De Vir. Ill.* 49; App. *Iber.* 23, cf. Polyb. 10.2.5–6, 5.7–8, 9.2–3, 11.7–8, with McDonnell 2006: 207n.4. But Scipio did not allow a statue of himself to be set up in the cella of Jupiter on the Capitoline, and he prevented an effigy of himself as *triumphator* to appear emerging from the temple of Jupiter Optimus Maximus: Liv. 38.56.12–13; Val. Max. 4.1.6a; but cf. App. *Ib.* 23, stating that in his time an image (εἰκόνα) of Scipio was brought out of the Capitoline temple for public processions.

¹⁷⁴ Polyb. 10.11.1–15.10; cf. Scullard 1930: 18–19; for further criticism of Polybius' cynical "Enlightenment" interpretation of elite Roman religious practices, see Toynbee 1965: 2.410–15; Meister 1975: 161–66; cf. Lazenby 1978: 136–37 (allowing for "religious conviction"); Erskine 2000: 176–81, and earlier references assembled by Morgan 1990: 15n.2. For contrasts between Polybius' and Livy's depictions of Scipio's religiosity, see Levene 1993: 61–62.

It is under these trying circumstances that we must place the pitiable C. Hostilius Mancinus. As consul he was assigned to the province of Nearer Spain, and there he was defeated and entrapped by the Numantines. In a desperate position, Mancinus surrendered and made some sort of peace treaty, which the Senate refused to ratify. The senators voted that Mancinus should be replaced by his consular colleague M. Aemilius Lepidus Porcina and handed over in disgrace to the Numantines. These events would have profound repercussions in the years to come, not least of which was the alienation from the Senate of Mancinus' quaestor, Ti. Sempronius Gracchus, the future sponsor as tribune of far-ranging socioeconomic legislation.¹⁷⁵ Gracchus enjoyed the trust of the Numantines as a result of the political capital his father had built up during his years of service in Spain, and he was instrumental in brokering the treaty with the Numantines. The senatorial snub of Mancinus and his treaty was also a disgrace for Gracchus, and may well have been a crucially important motivating factor in his subsequent political career.¹⁷⁶

Previous commanders in Spain had come to understandings with Iberian tribes on their own initiative, but with mixed results. In 152, the consul M. Claudius Marcellus arranged for Celtiberian envoys to be sent to Rome, and he pacified the Lusitanians. The Senate, however, rejected the peace movement, and it determined that the warfare should continue. Not to be thwarted by his senatorial opposition, Marcellus ignored its directives and negotiated a peace with the Celtiberians—the Arevaci, the Belli, and the Tithii.¹⁷⁷ As we have seen, Q. Fabius Maximus Servilianus obtained the province of Farther Spain, and as proconsul he was defeated by the Lusitanian leader Viriathus. By the terms of the treaty Fabius arranged, Viriathus was recognized as a friend of the Roman People and his right to hold the lands he then occupied was acknowledged. The Senate ratified the treaty. But Servilianus' successor, with the approval of an inconstant Senate, ignored its terms and arranged for Viriathus' assassination. Next Q. Pompeius invested Numantia, and he forced the Numantines to sign a compact and to pay an indemnity. But the Senate rejected his arrangements, and, as in the case of Marcellus and the Celtiberians about a decade earlier, decided that the war should proceed. Back in Rome Pompeius was tried both in a senatorial hearing and before the extortion court, or *quaestio de repetundis*, but in the end he escaped unscathed. His opponents had suggested that he be handed over to the Numantines in chains, a fate Pompeius avoided. His successor was not to be so lucky.¹⁷⁸

¹⁷⁵ See Cic. *Har. Resp.* 20.43.

¹⁷⁶ See Broughton, *MRR* 1.485 for sources; note especially Plut. *Ti. Gracch.* 5–6; Vell. Pat. 2.2.1–2; also Quint. *Inst.* 7.4.13.

¹⁷⁷ Polyb. 35.2.1–4.4; App. *Iber.* 48–50; cf. Liv. *Per.* 48; Strabo 3.2.1 (C 141).

¹⁷⁸ For Pompeius, see Gruen 1968: 34–37, and literature cited there.

C. Hostilius Mancinus' career in Spain conformed to this pattern: military miscalculations, defeats, degrading treaties struck with the enemy, and duplicity in the Senate at Rome. But his story is singular and famous for its outcome, which is pertinent for our theme. A later tradition stated that the consul's mission to Spain was clouded by evil omens from the start.¹⁷⁹ Following his defeat and surrender to the Numantines, he came to the agreement with the enemy while preserving his modesty, probity, and trustworthiness.¹⁸⁰ In his case, the Senate not only repudiated the accord with the Numantines, but sent the unfortunate commander back to Spain, to be handed over to the enemy, naked and bound in chains (with the upright Mancinus himself supporting the measure).¹⁸¹ Mancinus was delivered to the Numantines according to the ritual prescriptions of the fetial priests.¹⁸² The Numantines refused to accept him, and when he returned to Rome the tribune P. Rutilius, following the judgment of the praetor and expert at law P. Mucius Scaevola, had him removed from the Senate house as a man who was no longer a Roman citizen.¹⁸³

The behavior of the Senate in the affair is baffling. Previously the senators had turned a blind eye to heinous massacres perpetrated by their commanders in Spain, and they had repudiated earlier treaties struck there by their generals, who suffered some degree of public disgrace but otherwise went off scot-free. Undoubtedly, the Senate had become frustrated by the lack of progress in Spain in general and the setback at Numantia in particular. But at this juncture it seems the senators decided—undoubtedly (though unattested) in consultation with the priests—that something was awry in their relations with the gods, and that a ritual scapegoat would turn the situation in Spain in Rome's favor. Plutarch explicitly says that, in emulation of the return of the disgraced commanders following the debacle against the Samnites at the Caudine Forks, the Senate surrendered Mancinus in order to turn the guilt of perjury and the violation of the pact upon the consul's own head, and Cicero, in reference to the Mancinus affair, states that a citizen is handed over to an enemy in order to absolve the state from religious repercussions.¹⁸⁴

In order to comprehend this extraordinary incident, we might draw an analogy with the American experience in the Vietnam War. In both cases, an overwhelmingly more powerful invader was frustrated by native resistance in a highly unpopular war, its unexpected defeats had been met with brutal,

¹⁷⁹ Liv. *Per.* 55; Val. Max. 1.6.7; cf. 2.7.1.

¹⁸⁰ Cic. *Resp.* 3.18.28, *pudor, probitas, fides*.

¹⁸¹ Vell. Pat. 2.1.5, 90.3; Cic. *Off.* 3.30.109.

¹⁸² For the fetials' role in *deditio noxae*, see Rüpke 1990: 110–111.

¹⁸³ Cic. *De Orat.* 1.40.118; cf. 1.56.238; 2.32.137; *Dig.* 49.15.4; 50.7.18.

¹⁸⁴ Plut. *Ti. Gracch.* 7.2–3; Cic. *Caec.* 34.98; ca. 390 the fetials advised that the ambassador Q. Fabius Ambustus be handed over to the Gauls for his independent, aggressive behavior at Clusium; he was only saved by an appeal to the populace (Liv. 5.36.1–11; Plut. *Num.* 12.6–7, with further references at Broughton, *MRR* 1.94). For further examples of Rome handing over individuals whose actions it did not endorse, on the principle of noxal surrender, see Watson 1993: 34–42; Rawlings 1999: 122n.81.

localized reprisals, and the government of the aggressor was nonplussed by the lackluster performance of its military forces. But beyond this any rough analogy between the Roman and American experiences breaks down. In the case of the American war in Vietnam, military frustrations of the super-power led to the infamous My Lai massacre on 16 March 1968. Hundreds of Vietnamese civilians, including children, women, and old men, ranging in age from one to eighty-two, were slaughtered on that day. In the aftermath of the massacre, Lt. William Calley became a scapegoat for the atrocity (a scapegoat insofar as he was by no means the only soldier involved in the genocide), and he was the only one convicted of premeditated murder, issued a court-martial, and sentenced to a life-sentence prison term (which he did not serve). In order to press our analogy, however, we should have to imagine a different scenario, according to which the American leaders would determine that religious strictures could provide the only solution to the unfolding disaster in Vietnam, and that a high-profile figure, such as General William C. Westmoreland, Chief of Military Assistance Command, Vietnam (M.A.C.V.) and U.S. Army Chief of Staff, must be surrendered in a degraded condition to the North Vietnamese enemy according to certain ritual prescriptions. Such an imaginary scenario underscores just how bizarre the Mancinus affair is from a present-day perspective. In essence, the elite served up one of its own as a human sacrifice, for no one could have been certain that the Numantines would reject the ritual offering.

CONCLUSION

Taking the cue from neo-Realist international relations theorists, this chapter has set the stage for its principal argument by suggesting that the Republic existed and ultimately prevailed in a brutally harsh, highly competitive, and thoroughly militarized international anarchy. Military developments were mainly reactionary adaptations to constantly changing external pressures posed by formidable adversaries. In the military sphere, these pressures fell on the commander's shoulders. For him, there were many uncertainties: poor or faulty reconnaissance; the ever-present threat of famine, disease, or mutiny in the military camp; and most of all long periods without communications from the Senate in Rome and the consequent necessity of making unilateral executive decisions, and enjoying or suffering the consequences. Personal security was not the least of the general's concerns, and we should not think of him as a pampered martinet far removed from the hazards of the battlefield. On the contrary, he was frequently at grave personal risk, and several generals—men such as C. Flaminius, L. Aemilius Paullus, Ti. Sempronius Gracchus, Cn. and P. Scipio, and M. Claudius Marcellus—perished on military campaign.

Clearly the psychological stress on the commander in such harrowing circumstances would at times have been nearly unbearable, and it is reasonable to believe that painstakingly carrying out religious imperatives and ritual mandates would have served to alleviate some of his fears and anxieties. But the psychological palliative of religious ritual performances in the field of military operations still left plenty of room for uncertainty, anguish, and trepidation, since, as noted in the Introduction, orthopraxy removed obstacles to success but could not guarantee it. And so L. Aemilius Regulus claimed that victory was won not only with favorable auspices, but also by his own leadership skills—and luck.¹⁸⁵ In this sense the gods were capricious; the general and his army must still earn victory through their own efforts.¹⁸⁶

The idea that elite religious practices at war were primarily aimed at securing obedience and discipline from the rank-and-file soldiery has little to commend it, especially when we think of ritual practices undertaken while battle was already raging. Images such as those of P. Decius Mus hurling himself according to ritual prescription against the enemy and towards certain death as a human sacrifice, generals leaving the scene of impending battle in order to attend to religious obligations at Rome, Flamininus or Aemilius Paullus frantically sacrificing ritual victims before and during battle until favorable signs should appear, Scipio Africanus taking such great pains to know the will of the gods, and his inspiration from Neptune on the eve of perhaps his boldest and most risk-filled military exploit, the surprise attack on New Carthage, or the consul C. Hostilius Mancinus approving of his punishment—to be handed over to the Numantines, naked and bound in chains, as a ritual scapegoat—all tell a different story, strongly suggesting that elite field-commanders held a firm conviction that careful attention to the smallest details of orthopraxy, and to any indications of the gods' will, was a vital key to the well-being and success of themselves, their troops, and the Roman hegemony.

¹⁸⁵ Liv. 40.52.5–6, *auspicio, imperio, felicitate, ductuque eius*; cf. CIL vi 331; ILLRP 122; ILS 20 (*Titulus Mummiianus* from Temple of Hercules Victor), *duct. auspicio imperioque*. It is significant that Mummius' leadership (*DUCT*) is listed first and is the only instrumental ablative given in the opening line of the inscription; see also Plaut. *Amph.* 196.

¹⁸⁶ See, for example, Liv. 6.18.9 (speech of M. Manlius Capitolinus to *plebs*): the gods help those who help themselves. Rosenstein 1990: 92–113, shows how legionaries' indiscipline and sloth could frequently be adduced to account for military failure. Cf. Versnel 1970: 335, "If . . . the *auspicatio* was held, and the auspices proved favourable, this did not in any way imply that the victory was ensured or that the favour of the gods supported the Romans."

FOUR



Domi et Militiae: Elite Religion at Rome in Response to External Triumphs and Crises

It is deliberate policy. . . . The social atmosphere is that of a besieged city, where the possession of a lump of horseflesh makes the difference between wealth and poverty. And at the same time the consciousness of being at war, and therefore in danger, makes the handing over of all power to a small caste seem the natural, unavoidable condition of survival.

—George Orwell, 1984

Orwell's lines capture the elite-instrumentalist perspective. Some two millennia earlier, Dionysius of Halicarnassus provided an ancient analogue, underscoring the intertwining of events at Rome and abroad, and neatly introducing the theme of this chapter: the idea that religious traditions and innovations at Rome were in dynamic interaction with the chances of war and the results of imperial expansion.¹ Any religious culture is of course subject to changes resulting from contact with other societies. It may, however, aspire to preserve, or return to, ancestral religious practices as they putatively existed in some primeval beginning, to evoke a central idea in the seminal work of Mircea Eliade. Societies that could come closest to achieving such an ideal would be relatively isolated from foreign cultural influences. Military convulsions and demographic upheavals during our period ensured that the Roman experience was far removed from any such tranquil religious equilibrium. From its inception, the Republic was the antithesis of an isolated, hermetically sealed-off religious society. It was rather an ethnically diverse community and throughout its history an expansionist hegemonic state, constantly conquering and incorporating non-Roman peoples, and thereby having to come to terms with their peculiar customs and traditions (particularly those of the Greeks, which transformed religious institutions at Rome). As a result, from the time of the First Punic War, if not earlier, Rome was a society undergoing enormous demographic, economic, and societal transformations, bombarded by foreign cultural influences and religious novelties. And as we have seen in chapter 3, the Republic was always

¹Dion. Hal. *Rom. Ant.* 10.33.

subject to constant military pressures. These changing realities—at times of cataclysmic proportions—had a profound impact on religion. Moreover, a project of unwavering adherence to religious conservatism, eschewing cultural innovations, and reproducing ancestral religious forms and rituals, can be bolstered by a tightly organized, unified, and hierarchical priesthood, a dogmatic sacred text claiming a monopoly on religious truth, and perhaps a moral code reinforced by eschatological hopes and soteriological promises but, as stressed in chapter 2, none of these things was present at Rome.

Republican aristocratic values were nonetheless informed by fierce traditionalism, and elite religion in Rome is conspicuous for its insistence on maintaining ritual forms of presumed origins, as for example during the August *Consualia* festival, in honor of the ancient harvest deity Consus, when the Vestals and the *flamen Quirinalis* enacted a sacred drama of the rape of the Sabine women; the *Furrinalia* festival with its annual sacrifice for Furrina, an antiquated deity whose name was barely known in historical times, who had a special priest; in the celebration of the Shield Dance of the Salian priesthood, in which one of the twelve figure-of-eight shields (*ancilia*) carried in the procession was said to have fallen from the sky as a gift from Jupiter during the reign of King Numa; the festival of the Lupercalia, commemorating the myth of Romulus and Remus and their suckling by the she-wolf, supposedly established in mythical times by the Arcadian Evander; or at a much later date the emperor Augustus' revival of the almost forgotten priesthood of the Arval Brethren.²

In Roman conceptions, keeping up hoary religious institutions was thought to be a crucial part of maintaining *mos maiorum*, the venerable ways of the ancestors. This conceit was to a large degree the “invention of tradition,” and as Mary Beard has noted, “Societies that make repeated use of this means of cultural legitimation are often characterized, like ancient Rome, as ‘conservative’; but they do not so much resist change as justify sometimes very radical innovation by the denial that it is innovation at all.”³ Religion is therefore a moving target, and in using the phrase as a blanket term we must remember the Romans' extraordinary pliability and malleability in religious matters. They constantly incorporated, adapted, and occasionally suppressed external influences as they underwent their own religious self-transformations. In this chapter, we shall explore some of the inconsistencies, incoherencies, and tensions arising from the simultaneous obsession with

² *Consualia*: Varro, *Ling.* 6.20; Furrina: Varro, *Ling.* 6.19; Salian priests: Liv. 1.20.4; Dion. Hal. *Rom. Ant.* 2.70.1–71.4; BNP 1.43n.126; 2.126–28 (5.4); Evander and Lupercalia: Liv. 1.5.1–2; Plut. *Rom.* 21.3–4; suggestive of the great antiquity of the Arval Brethren, Varro, *Ling.* 5.85, derives their name from *ferre* (“to bear”) and *arva* (“fields”); on this priesthood, see Scheid 2005: 21–57.

³ Beard 2007: 292; cf. Chaplin 2000: 149: “The more novel something is, the more it requires precedents.” “The Invention of Tradition” is the title of a well-known collection of essays edited by Eric Hobsbawm and Terry Ranger (1983).

correct religious observances based on supposedly ancestral practices and religious modifications accompanying imperial expansion.

Elite religious practices at Rome were in large part responses to diplomatic and military undertakings and their successful or disastrous outcomes. The interplay between domestic and foreign events provides a key to understanding not only religious life among the elite, but republican history generally. Certainly one of the most striking constants of Rome's history is the degree of flexibility, innovation, and institutional adaptation found throughout all phases of its imperial development. While scholars have most certainly overplayed the xenophobia and exclusivity of ancient Mediterranean cultures—the abhorrence of the “Other”—Rome's openness, both politically and culturally, nevertheless stands out conspicuously.⁴ Most obviously, and pointedly unlike other ancient empires, Rome frequently moved to incorporate—in various degrees—rather than to subjugate completely, or even exterminate, conquered states and peoples. Indeed, Rome's liberal policy on the extension of its citizenship is undoubtedly one of the most important factors in its imperial success.⁵

In 48 C.E., the emperor Claudius famously stated the principle in a speech before the Senate on the dispute over admitting nobility from Gallia Comata into the curia. As Tacitus tells the story, many of the powerful in Rome disparaged the idea, warning against vulgarization of the senatorial order by men whose barbarous ancestors had besieged Caesar at Alesia and—considering more remote times—had sought to despoil the Capitol of its sanctified *manubiae* in the aftermath of their victory over Roman forces at the Allia river. Claudius met such objections by pointing to his own personal lineage: wasn't his ancestor a foreign-born Sabine who had been admitted to citizenship and recognized as head of a new patrician *gens*? By a happy circumstance, substantial fragments of Claudius' speech have been preserved epigraphically on the so-called Lyons tablet, which, though in a somewhat more long-winded fashion than what we find in Tacitus' rendition, play upon the same themes. The emperor had to confront senators' aversion to change (after all, radical revolutionary schemes had always been referred to in derogative terms as *res novae*, or “new things”), and he did so (col. 1), by pointing out that innovation had been fundamental to the city from its origin (*ab origine urbis nostrae*). Later in the speech, Claudius remarked that Augustus and Tiberius had indeed been following a new practice (col. 2, though the inscription is lacunose here), in desiring that “all the flower of the colonies and municipalities everywhere—that is to say the good and rich men—should

⁴For a sustained critique and revisionist history of the “Other” in ancient Mediterranean cultures, see Gruen 2011.

⁵See Sherwin-White (1973) 2001; cf. Bispham 2007, based primarily on epigraphic evidence, concentrating on the *municipia* in Italy after the Social War; and Champion 2009a, for a comparison with classical Athens, with a focus on citizenship myths and forensic discourse.

have a place in this Senate house.”⁶ Tacitus renders Claudius’ basic point succinctly: “everything . . . which is now considered to be of the highest antiquity was once new.”⁷ In other words, change was—somewhat paradoxically—integral to the “ways of the ancestors,” or *mos maiorum*.

Military victories and imperial expansion demanded elastic conceptions of government, flexible criteria of citizenship, and, most important for our purposes, accommodating and expansive (re)definitions of religious tradition. The most dramatic public display of imperial power was the successful general’s celebration of a triumph winding its way through the streets of Rome, ascending to its climax on the Capitol. The pinnacle of an aristocratic career, the triumph was also in various senses an enlargement of Rome itself: vast amounts of coined and uncoined metals would be deposited in the public treasury, or *aerarium*; foreign kings and queens might be led captive as part of the spectacle; exotic and bizarre species of animals could be displayed to the populace, perhaps for the first time; and foreign deities were occasionally introduced to their new homes at Rome as part of the celebration. The triumph was surrounded by dynamic ritual and infused with emotional intensity. I shall maintain that any idea that the conquering *triumphator*, parading in dazzling array and refulgent regalia as a representative of Jupiter, making his way to a solemn concluding sacrifice of thanksgiving on the Capitol, was also a cynical, godless dissimulator whose interiority was untouched by the magnificent events of which he was the focal point, is implausible, to say the least.⁸

According to tradition, one way new gods could be brought to Rome and domesticated there was through the formal ceremonial practice of *evocatio*, or ritually summoning to Rome deities of peoples whose cities had been captured and sacked. We know of the practice mainly through stories about the earlier Republic, but P. Cornelius Scipio Aemilianus may have revived it when he overcame Carthage in 146. Since by this ritual divinities were invited to take up new abodes at Rome—and thereby to lend their support to gods and goddesses who already resided there—it is clear that Romans in some sense conceived of deities in spatial terms, as being located in particular physical places. Scholars have discussed this characteristic of religion as constituting a “religion of place.”⁹ For our discussion, the importation of new gods through military conquest will form one dimension of what I have called

⁶ CIL xiii.1668; ILS 212, with Gruen 2011: 243–49, esp. 249.

⁷ Tac. Ann. 11.24, *omnia, patres conscripti, quae nunc vetustissima creduntur, nova fuere*; cf. Liv. 2.17.4–6.

⁸ Cf. Rüpke 1990: 230, referring to the triumph as an *Imperator-zentrierter Ritus*. For rituals as highly-charged, emotional collective experiences, see Chaniotis 2006 (focusing on the Greek world in the Hellenistic and Roman Imperial periods, without discussion of the triumph). On triumphs and other arrival ceremonies of elites into Rome, and their religious dimensions, see now Luke 2014.

⁹ See Liv. 5.51.1–54.7 (speech of Camillus), with BNP 1.167–210.

accumulative civic polytheism. I argue that—if we accept the historicity of the ritual—the infrequently used, formal ritual imperatives of *evocationes* would probably have been witnessed by relatively few soldiers before the enemy city under siege, and therefore of minimal value as a mechanism for control of nonelites; and further that in the capital, the introduction and perhaps syncretism (*interpretatio Romana*) of new gods and known ones—especially in the context of the triumphal procession—would have been ineffectual as part of some putative project to harness the lower orders to the will of the elite.

Accumulative civic polytheism was a totalizing project of religious discourse and praxis, and in this sense we can think of it in instrumentalist terms. Elites attempted to control, to have authority over, and to make Roman the bewildering, kaleidoscopic variety of religious cults it encountered. But we must think that there were also innumerable informal, unofficial religious acts, many of which do not surface in our historical evidence. And in this realm, the authorities would have had neither the means nor the will to control nonelite religious actions in any thoroughgoing and sustained manner. The dramatic suppression of the Bacchanals is a case in point: it flared up suddenly and stupendously, but was short-lived and inconsequential in its long-term effects. As argued in chapter 2, elites' totalizing projects in the religious realm were primarily symbolic in nature, and authorities could hardly hope to monitor vigilantly and control effectively religious practices of citizens, let alone those of the burgeoning number of multilingual, multiethnic noncitizen inhabitants, in the capital. The dizzying addition of new deities in the state religion alone—not to mention worship of unofficial supernatural forces—made elite control of nonelites through religious means impracticable.

Proliferation of new cults and religious practices went hand in hand with the creation of Mediterranean-wide hegemony. In addition to gods that may have been introduced through military conquest and the formal ritual of *evocatio*, deities could come to Rome seemingly of their own accord (as in the case of Bacchus), or through formal diplomatic means (as in the case of the Magna Mater, or the "Idaeian Mother of the Gods"). The authorities' approach and reaction to these two deities, Bacchus and Magna Mater, provide a startling contrast. In Roman eyes there were great similarities in the two cults, as both were characterized as dangerously emotional, ecstatic, and excessive in the conduct of their rites and rituals, hardly in keeping with staid *sollemnitates* and *gravitas*. And yet the official treatment of the cults could not have been more different. In the case of Magna Mater, the goddess was received into Rome with great fanfare and jubilation during the latter stages of the Hannibalic War, since the instruction of the Sibylline Books stipulated that her installation at Rome was necessary for a successful conclusion to the war. In the case of Bacchus, the authorities lashed out suddenly and violently, conducting a pogrom throughout Italy in order to curtail observance of the

cult. As Erich Gruen has noted, "The action came like a thunderbolt, scattering the faithful and terrifying sympathizers. Devotees of the cult can only have felt shock and horror at a policy that seemed incomprehensible."¹⁰ What is most obvious and striking about the two affairs is the inconsistency, suggesting that it may be misleading to think of any such thing as a set religious policy. Rather the wildly divergent actions in regard to these cults support the idea that elite religious policies were in large part dictated by immediate circumstances, and fears and uncertainties of the moment.

Religious ritual aimed first and foremost at pleasing the gods, but also at securing or restoring psychological well-being. It has been my argument throughout that this statement applies to elites and nonelites alike. In cases of military failure or more ordinary adverse indications from the gods, religious authorities could, by the practice of *instauratio*, simply repeat ritual performances gone awry in order to get them right the next time around and remove impediments to successful outcomes in the future. Accumulative civic polytheism was another avenue to the same end: put simply, the unceasing addition of prophylactic gods to the pantheon provided insurance for the city's protection and well-being. In psychological terms, we might be tempted to characterize both *instaurationes* and the ever-expanding pantheon as constituent elements of a collective obsessive-compulsive disorder.¹¹

There were several occasions, however, when the terrors of impending military disaster could not be allayed by any amount of ritual repetition or the hurried introduction of a new deity into Rome. In these cases, military developments led to astonishing behavior in the city. The most famous of these occasions arose in the aftermath of the military debacle at Cannae in 216. Two other instances occurred in 228 and in 114/13, also situations of perceived threats of military catastrophe. At these times the authorities consulted the Sibylline Books, and the prescription was live burial in the Forum Boarium of two couples, a Gallic man and woman and a Greek man and woman, as well as the performance of other ritual injunctions. How are we to interpret such behavior? Should we think that unbelieving authorities perpetrated such ghastly acts in order to cow gullible masses at a time of intense collective anxiety and insecurity, themselves having absolutely no confidence in the efficacy of the ritual murders? Are we simply dealing with a most macabre form of class warfare based on an inhumanly cold-hearted, terrifying, and stunningly heinous socioreligious charade? The position taken here is that we must look for a more nuanced and satisfying historical reconstruction.

¹⁰Gruen 1990a: 34; on the severity of the action, see Cic. *Leg.* 2.15.37.

¹¹Cf. Liv. 5.52.9 (Camillus' speech): "Remember, I beseech you, how frequently sacred rituals are repeated (*quotiens sacra instaurantur*), because something of ancient ritual has been left out due to negligence or chance."

I. TRIUMPHS, *EVOCATIONES*, AND SOME MEDITATIONS ON THE PERSONAL EXPERIENCES OF ELITE RELIGIOUS PRACTITIONERS

In recent years, we have witnessed a scholarly obsession with spectacle in the Roman world. Much of this work has unsurprisingly been concerned with the cultural phenomenon that has perennially had such a grasp on the popular imagination, the amphitheater during the Principate, with its public executions, animal hunts, and gladiatorial combats. Leaving aside the vexed question of their origins, the *munera*, so we are told, served to release socio-economic tensions resulting from the iniquitous distribution of wealth and power in Roman society by allowing the spectator to vent violent impulses vicariously (the so-called hydraulic theory). These mortal combats supposedly served to deter illegal activity, because they were a public demonstration of the inexorable force of law and order, as the society's worst offenders, condemned to punishment *ad bestias*, provided by means of their hideous deaths spectacles of appalling admonition. Moreover, the stratified seating of the audience in the amphitheater visually reflected and spatially reinforced the social hierarchy.¹² The underlying assumption is that spectacle was a primary mechanism to buttress the political, social, and economic orders, or to use the terms adopted in this study, spectacle at Rome had a decided elite-instrumentalist function.

Polybius was keenly interested in the function of public spectacle at Rome. He is also perhaps the most important ancient author for the entrenchment and perpetuation of the elite-instrumentalist model of Roman religion. As he famously stated in Book Six, belief in the gods secured and maintained the commonwealth, and religious awe was instilled in the common people through elaborate and dramatic religious spectacles. The authorities had done this, he asserted, because they realized that the multitude is fickle, emotional, and undisciplined, and consequently regarding the common people there was "nothing left but to control it with vague fears and scenic effects of this sort."¹³ In another famous passage, Polybius considered a specific form of public spectacle at Rome: the aristocratic funeral. He was most interested in its salutary function of uplifting and morally edifying the living:

Whenever one of their illustrious men dies, he is brought during his funeral, with every sort of honor, to the so-called Rostra in the Forum,

¹²See, for example, Barton 1995; Wiedemann 1995; Futrell 2000; Kyle 2001. For a refreshing critique of elite-instrumentalist interpretations of public entertainments at Rome in our period, see Morgan 1990, "an elitist way of thinking which suspects any form of mass-entertainment precisely because it entertains the masses" (18).

¹³Polyb. 6.56.6–13; cf. 10.11.1–15.10; Scullard 1930: 18–19; Toynbee 1965: 2.410–15; Meister 1975: 161–66; Erskine 2000: 176–81. For Polybius' low regard for non-elites, see Champion 2004a: 185–93, 220–26; Champion 2004b. For a study of festivals, games, and spectacle in Polybius' historiography, see Gibson 2012.

sometimes to be conspicuously propped upright, or, more rarely, to be laid upon it. With all the people standing around, his son, if he has a grown one surviving and present, mounts the Rostra and delivers a speech on the virtues of the deceased and his accomplishments in life. (In the absence of a son, this duty is performed by some other relative.) This reminds not only those who shared in his deeds of what happened, but also those who did not, and puts it before their eyes to such moving effect that the loss seems not confined to the mourners, but common to all the people. Then they bury him with all customary rites, and place a likeness of the deceased in the most conspicuous spot in his house, surrounded by a little wooden shrine. This likeness is a mask made to resemble him very closely, in both its modeling and its color. The Romans display these images at public sacrifices, adorned with much care, and bear them to the funeral of any illustrious relative, fitting them on men resembling the originals as much as possible in height and other externals. They wear a toga with a purple border if the deceased was a consul or praetor, a toga wholly purple if he was a censor, or a toga embroidered with gold if he had celebrated a triumph or done something of that kind. These masked men themselves ride in chariots, preceded by the fasces, axes, and other customary insignia of the magistracies, according to the civic rank of each man while he was living. When they come to the Rostra, they all sit down in a row of ivory chairs. There could be no spectacle more ennobling for a youth aspiring to fame and virtue. Who would not be moved at seeing together all the likenesses of the men renowned for virtue, as if they were alive and breathing? And what sight could seem more beautiful?¹⁴

What is important about this passage—and overlooked by most scholars—is the fact that the primary beneficiaries here for Polybius are *aristocratic* youths. That he names noble youths as the main focus of funeral pomp and ceremony is assured by his language. He states that there could be no greater ennobling spectacle (κάλλιον . . . θέαμα) for a young man who aspires to a career of fame and virtuous good-will (νέφ φιλοδόξω καὶ φιλαγάθω) than to see his illustrious ancestors come back to life, as it were, before his eyes. In the following chapter, Polybius goes on to discuss separately the benefits of the *pompa funebris* for the common people. The idea that the aristocratic funeral left an indelible imprint on aristocrats themselves could not be clearer than it is in a later statement we find in Sallust's monograph on the Jugurthine War, where we learn of the zeal for noble deeds instilled in Fabius Cunctator, Scipio Africanus, and other leading men-of-state

¹⁴Polyb. 6.53.1–10. On the *pompa funebris*, see Versnel 1970: 98–101; on the death masks, or *imagines*, in Roman aristocratic culture, see Flower 1996.

through witnessing the pageantry.¹⁵ Taking the cue from Polybius' distinction between *nobiles* and *plebs* as beneficiaries of the drama of the aristocratic funeral and Sallust's remark on its impact on renowned statesmen and generals, we can turn our attention to the elaborate public display of the triumphal procession.

The triumph was Rome's greatest institutionalized public spectacle. As Polybius noted, the triumph placed before the citizens' gaze the spectacle of the general's achievements with the greatest vividness.¹⁶ Physical artifacts and monuments, such as the arches of Titus in the Roman Forum and of Trajan at Beneventum, the marble panel of Marcus Aurelius in his triumphal chariot installed on the landing of the grand stairway of the Museo Capitolino in Rome, or the Boscoreale cup, depicting the triumph of Tiberius (either of 7 B.C.E. or 12 C.E.), provide glimpses of its magnificence in later times. Unlike the *munera*, first attested at Rome as part of the funeral celebrations of L. Junius Pera in 264, the first year of the First Punic War, the triumph was coeval with the foundation of the city, at least according to legend: Romulus was said to have celebrated the first triumph in victory over Sabine peoples.¹⁷ The major *ludi publici*, featuring the chariot racing that was the Roman people's hysterical passion, also reached back into Rome's earliest history, but unlike the triumph, the most important ones (*ludi stativi*), such as the *Ludi Maximi*, were a fixed part of the festive calendar.¹⁸ Triumphs, by contrast, were electric, sporadic instantiations of public celebration. Orosius states that from the time of Romulus until the triumphal celebration of Vespasian and Titus in 71 C.E., there were 320 triumphs, but these would have varied enormously in qualitative terms over these more than eight centuries, as Rome went from being a mere village struggling for survival against its immediate neighbors to master of the Mediterranean world.¹⁹ Moreover, triumphal celebrations

¹⁵ Polyb. 6.54.2, τοῖς πολλοῖς; Sall. *Jug.* 4.5, *saepe ego adivi Q. Maximum, P. Scipionem, praeterea civitatis nostrae viros solitos ita dicere, cum maiorum imagines intuerentur, vehementissime sibi animum ad virtutem accendi* ("I have often heard that Quintus [Fabius] Maximus, Publius Scipio [Africanus], and other eminent men of our state besides regularly said that whenever they gazed upon the images of their ancestors, their souls were set ablaze to perform virtuous deeds").

¹⁶ Polyb. 6.15.8, ἡ τῶν κατειργασμένων πραγμάτων ἐνάργεια; for an overview, see Rich 2013: 551–59. Cf. Stavrianopoulou 2015 for discussion of spatiality, participants, mediality, and meaning in ancient processions.

¹⁷ Junius Brutus Pera: Val. Max. 2.4.7; Liv. *Epit.* 16; Serv. *Aen.* 6.862; for an earlier gladiatorial display in Campagna (306), see Liv. 9.40.17. Romulus: Plut. *Rom.* 16.6; Dion. Hal. *Rom. Ant.* 2.34.1–4; cf. Liv. 1.10.5–7. The *Fasti Triumphales* list Romulus' triumphs over Sabine peoples, the Caeninenses and perhaps the Antemnates (*Inscr. Ital.* xiii, pp. 64–65 (TAB. xlviii); Degraasi reasonably supplied them as a supplement). On the *Fasti Triumphales*, see Beard 2007: 61–67, and the useful appendix in Pelikan Pittenger 2008: 347–50.

¹⁸ Romulus and *ludi*: Liv. 1.9.6; Plut. *Rom.* 14.3–4. According to one tradition, the Circus Maximus was built by the Tarquins: Liv. 1.56.2; Dion. Hal. *Rom. Ant.* 4.44.1; *De Vir. Illustr.* 8.3. For the mania for chariot racing, see Plin. *Ep.* 9.6; For the *Ludi Maximi* in republican times, see Bernstein 1998: 51–78. On *ludi publici* generally, cf. Bernstein 2007.

¹⁹ Oros. 7.9.8, with Beard 2007: 163–64.

occurred with an irregular, staccato-like frequency; sometimes there were bunches in a brief span of time, while we have other periods with little triumphal activity.²⁰

Significant differences, therefore, separate the celebration of the triumph and other forms of public spectacle at Rome. But a common theme in our sources on the gladiatorial arena, chariot races, and the triumph is their alleged deleterious influences on society. Sallust believed that enervating and corrupting luxury entered Rome following the defeat of Carthage and the opening up of the opulent east, while Livy was able to locate the origins of excessive wealth's corroding effects on old-time frugality and morality in the eastern campaigns of Cn. Manlius Vulso and his fabulous triumphal procession in 187.²¹ Pliny the Elder found the introduction of debilitating *luxuria* at Rome slightly earlier, in the triumphal festivities of L. Scipio Asiaticus in 189.²² Far different were triumphs of earlier times, according to our sources, which were relatively modest affairs, allegedly supporting and sustaining the *res publica* and its old-fashioned morality and scruples. The early triumph must remain shrouded in obscurity, but literary sources offer ample descriptions of later triumphal celebrations—pride of place here goes to Josephus' extensive account of the triumph of Vespasian and Titus in 71 C.E., although this elaborate description presents many dangers of anachronistic distortion for our period.²³ The triumph stimulated literary meditations on the persistent themes of morality and corruption, and consequently our literary sources frequently embellish, elaborate, fabricate, and distort it.²⁴ But the various literary ruminations on triumphal celebrations, the concomitant wealth and luxury, and ideas on their pernicious influences on the social fabric—admittedly from the Late Republic and Principate—suggest that in elite perceptions the triumph was a flashpoint for a dangerous liminality, for disturbing the normal order of things. This permeability included the proper boundaries between the human and the divine.

Our literary descriptions of the triumph present a composite picture somewhat as follows. The soldiers in the field would hail their victorious *imperator* following a decisive victory. The general responded by attaching laurels to his *fascēs* and sending a laurel-wreathed dispatch to the Senate. After due deliberation, the senators might indicate their positive disposition

²⁰See Rich in Champion 2004c: 53–55 and Fig. 2.

²¹Sall. *Cat.* 10; Liv. 39.6.9–7.5 (Manlius Vulso's triumph); cf. Dion. Hal. *Rom. Ant.* 2.34.3. On the general theme of luxury, corruption, and moral decline at Rome, see Lintott 1972; Petrochilos 1974: 69–87.

²²Plin. *HN* 33.148.

²³Joseph. *BJ* 7.121–62.

²⁴Cf. Beard 2007: 57, on the triumph as an iconic and quintessentially Roman showpiece institution that was endlessly “recorded, remembered, imagined, debated, and discussed.”

by voting for one or more days of supplications to the gods.²⁵ At this point, the commander's petition for a public triumph would be likely to succeed. The *imperator* would approach the city, waiting outside, retaining the *auspicia militaria*. The Senate convened in the temple of Bellona, also outside the *pomerium*, and the consuls commissioned the tribunes to carry a law permitting the *imperator* to retain his *imperium* on the day of his triumphal procession. On that day, the *triumphator* held a *contio*, addressing his troops, magistrates, senators, and citizens, distributing rewards for conspicuous acts of valor and bravery, and offering customary prayers to the gods. In the actual parade, he was preceded by an ordered procession of senators, trumpeters, spoils of war and crowns of victory, white bulls with gilded horns attended by youths in arms, *victimarii*, priests, captives (perhaps being led to execution), and lictors with garlanded *fasces*. The *triumphator* himself followed, accompanied by officers riding on horseback, and finally the victorious army.²⁶ Such is a basic picture of the event, but like everything else in Rome's history, the triumph underwent many permutations over the period of well more than a millennium that it was celebrated. As examples, Caligula made a bizarre farce of the institution in his "German triumph," while Trajan's final triumph was also his funeral procession. Gordian was allegedly drawn into the city in a chariot pulled by four elephants, perhaps accomplishing what Pompey had contemplated but abandoned for his magnificent triumph of 61, and in 534 C.E. Justinian's great general Belisarius walked on foot in triumph to the Hippodrome in the transplanted imperial capital city of Constantinople.²⁷

The celebration of a triumph was the culmination of an aristocrat's public career. Indeed, Livy says there was nothing more magnificent among the People.²⁸ Without attaining to this supreme honor, the *nobilis'* life would have seemed incomplete and in some sense even a failure. The army, Senate, and People in some fashion decided on the general's right to triumph.²⁹ The dignity and glory of the celebration were zealously protected, as some generals

²⁵This seems to have been a formal requirement. Cicero wrote to every member of the Senate but two in order to persuade them to vote in favor of his *supplicatio* (16 October 50; *Att.* 7.1.8 (Shackelton Bailey 124)). In the end, he was awarded his *supplicatio*, but never celebrated his triumph. For *supplicationes*, see Rüpke 1990: 213–17.

²⁶For an attempt to reconstruct the historical triumphal procession, see Östenberg 2009, and assembled references at Rich 2013: 555n.9; also Andrei Mihailiuk's continually evolving website on the triumphal route: <http://andreimihailiuk.wix.com/romantriumph>.

²⁷Caligula: Suet. *Calig.* 47; Pers. 6.43–48; Trajan: SHA, *Hadrian* 6.1–4; cf. Dio 69.2.3; Gordian: SHA, *Gordiani Tres* 27.9 (of dubious historicity); on Pompey's triumph, see Beard 2007: 7–41; Belisarius' triumph: Procop. *Vand.* 4.9.1–16, with Beard 2007: 318–20. For elephants on triumphal monuments, see Beard 2007: 236.

²⁸Liv. 30.15.12 (Scipio Africanus), *neque magnificentius quicquam triumpho apud Romanos*.

²⁹On the complex machinations of requesting and being formally granted the right to a triumph, see Beard 2007: 187–218; Pelikan Pittenger 2008: 33–53.

even falsified their accounts in order to earn this right.³⁰ In order to observe the rules for triumphal celebrations, which themselves seem to have varied over time and are nearly impossible for us to reconstruct with any confidence, some generals had to wait outside the city walls for months, or even years.³¹ The *triumphator* must be the magistrate who held the highest, valid *imperium*—formally granted to him by the People as he departed to his command by the *lex curiata de imperio*—at the time of the victory, and he must be attended by his victorious army. Private citizens (*privati*) holding *imperium* were ineligible, even though they might have won extraordinary victories, as did P. Cornelius Scipio Africanus in 206.³² Triumphs could not be celebrated for victories in civil wars or in slave wars (but these stipulations have to date from the end of our period, at the earliest).³³ Although we cannot date it with precision, there was a law requiring that a triumph should not take place unless five thousand of the enemy had been killed in a single engagement, reinforced in 62 by legislation of the tribunes L. Marius and M. Porcius Cato.³⁴ For commanders who could not meet these requirements, there were the lesser celebrations of the *ovatio* and the *triumphus in monte Albano*.³⁵

Triumphs were stupendous public spectacles of sensory overload: raucous songs, rhythmic chants, plaintive notes of flute players, discordant shouts and deafening cheers, vibrant colors and novel sights of exotic flora and fauna, luxuriant smells of strewn flowers and ponderous incense.³⁶ On the appointed day, trumpeters announced the arrival of the victor, who entered Rome through the *Porta Triumphalis*.³⁷ The *triumphator*, clothed in purple triumphal attire (*vestis triumphalis*) and fresh from military victory over an

³⁰Liv. 33.22.9–10; Val. Max. 2.8.1; Gell. NA 10.3.17 (a work of Cato the Elder titled *De falsis pugnis* (“On Sham Battles”)).

³¹C. Pomptinus, for example, waited for some four years (Cic. *QFr.* 3.4.6 (Shackleton Bailey 24); *Att.* 4.18.4 (Shackleton Bailey 92); Dio 39.65; Schol. Bob. 149–50 (Stangl)). Other notable examples of inordinate waiting periods for *triumphators*: L. Licinius Lucullus, Q. Caecilius Metellus Creticus, and Q. Marcius Rex.

³²Liv. 28.38.4–5; cf. 31.20.1–7; 32.7.4 (denial of *ovatio*); Val. Max. 2.8.5; but the tradition on Scipio’s triumph in 206 is conflicted; see Beard 2007: 78n.16 for sources. Pompeius Magnus was the first *privatus* certainly to be awarded a triumph (Cic. *Leg. Man.* 21.62).

³³Val. Max. 2.8.5, 7; Gell. NA 5.6.20–23.

³⁴Val. Max. 2.8.1; cf. Oros. 5.4.7, with Pelikan Pittenger 2008: 112–14.

³⁵On the *ovatio*, see Gell. NA 5.6.21–27; cf. Versnel 1970: 165–68. On the triumph on the Alban Mount, see Brennan 1996; cf. Beard 2007: 63, and notes.

³⁶Brilliant 1999 vividly evokes the spectators’ experience of the *pompa triumphalis*. The following portrayal is a composite from various ancient sources, some elements of which are better documented and/or more certain than others; but in my view the overall picture offered here can be accepted with a certain degree of confidence. Cf. the description of the triumphal ceremony at Beard 2007: 81–82, who points out that some of the individual components of the triumph, such as the phallus hanging beneath the chariot, the golden stars on the *triumphator*’s toga, or the red face paint of the celebrant, are not as thoroughly attested in our sources as we might believe.

³⁷On the difficult question of the exact location of the *Porta Triumphalis*, and even whether the entry point to the city may have varied from triumph to triumph, see Beard 2007: 96–105; cf. Rüpke 1990: 228–29.

enemy of the *res publica*, was drawn into the city in a two-wheeled chariot (*currus triumphalis*) by four horses.³⁸ The chariot, decorated with laurel branches, was further adorned with whips and bells, and a phallus was fastened underneath it. Immediately in front of the chariot marched chained prisoners of war; their leaders figuring prominently, who may have been on their way to execution in the dungeon just before the sacrifice to Jupiter Best and Greatest.

The conquering general himself was crowned with a laurel wreath, but there also seems to have been a heavy golden wreath (*corona Etrusca*), which a public slave held over his head. Illustrated message boards might be carried in the procession, proclaiming the peoples and places he had overcome, and perhaps showing pictures of battle scenes. These *tableaux* will have served as miniature scenes—or *ekphraseis*, to use the literary term—within the larger scene of the moving panorama of the triumphal spectacle. There may also have been multi-storied platforms in the procession, which the gargantuan floats in major New Year's Day celebrations in the United States distantly echo. The commander carried a laurel branch, symbol of victory, in his right hand, and an ivory scepter studded with an eagle in his left. He may have worn an amulet or *bullā*, and his face may have been colored red with a lead-based paint in order to personify and embody the god Jupiter (or as some scholars have argued, the former king, or *rex*).³⁹ He was preceded by lictors in red war-dress, carrying the *fascēs*, symbols of his power. We are told that a public slave (*servus publicus*) was assigned the task of periodically reminding the celebrant to take care and remember that he was only a mortal being.⁴⁰ His soldiers cried out *io triumphe*, punctuated by ribald and scurrilous asides cast at their superior officer in good-natured jest.⁴¹ Although it is difficult to know the exact route taken, or even whether it may have varied from one triumph to another, it seems as if the grand procession wound its way from the Campus Martius through the Circus Flaminius and Circus Maximus, around the Palatine hill, along the Sacred Way (*via sacra*) and on up to the Capitoline, where the resplendent champion in near (and temporary) apotheosis performed a culminating sacrifice of white oxen before the temple of Jupiter Optimus Maximus.⁴²

There were many spectacular triumphal celebrations in our period: for example, P. Cornelius Scipio Africanus attained to dizzying, unprecedented heights in 200 in triumphing over Rome's most bitter nemesis, Hannibal

³⁸ Purple clothing: Festus 228 Lindsay; cf. Liv. 27.4.8; 31.11.11–12. App. *Lib.* 9.66 tells us that the *toga picta* of the *triumphator* was embroidered with golden stars.

³⁹ For the rival theories, Jupiter or *rex*, see Versnel 1970: 58–93, who argues for multiple semantic registers; the *triumphator* represented both Jupiter and *rex*.

⁴⁰ Cf. Juv. *Sat.* 10.41–42.

⁴¹ See Dion. Hal. *Rom. Ant.* 7.72.10–12, with O'Neill 2003b.

⁴² Cf. Gallini 1970: 109 (*un temporaneo processo di eroizzazione, trasformandosi in statua vivente di Giove Ottimo Massimo*).

Barca. T. Quinctius Flamininus paraded in memorable fashion in 194 for his defeat of Philip V, L. Cornelius Scipio celebrated his victory lavishly over Antiochus III in 189, and in 167 L. Aemilius Paullus glorified his conquest of Perseus in stunning triumphal display. The triumphs of Africanus, Flamininus, and Aemilius Paullus each took up three days.⁴³ One of the most memorable of all triumphs was that of Cn. Manlius Vulso held in 187 in commemoration of his defeat of the Galatians in Asia Minor.⁴⁴ Manlius' right to triumph was hotly contested, with his own legates, led by L. Aemilius Paullus and L. Furius Purpurio, arguing that his army had been corrupted in the east and brought back with it enervating *luxuria*.⁴⁵ They charged that Manlius was prevented by his *legati* only with the greatest difficulty from going against the injunctions of the Sibyl's oracle about crossing the Taurus mountains, and that in the war against the Galatians he had ignored proper fetial procedure.⁴⁶ Although Manlius had won his victory in Asia Minor as consul in 189, he delayed the celebration of his triumph until the end of 187 in order to avoid prosecution on a charge of peculation at the hands of the aggressive and unyielding peregrine praetor Q. Terentius Culleo.⁴⁷ Manlius' triumph promised to be memorable in any event, but it was only enhanced because of the inordinate delay and the *cause célèbre* surrounding its authorization.⁴⁸

The long-anticipated spectacle exceeded all expectations. The sheer amount of precious metals alone, in the form of jewels, bullion, and coin, was staggering: 212 golden crowns, 220,000 pounds of silver, 2,103 pounds of gold, 127,000 Attic tetradrachms, 250,000 *cistophoroi*, and 16,320 gold Philippics. Massive assemblages of arms and spoils from the Galatians were carried along in carts, and fifty-two Galatian leaders were led in front of the triumphal chariot (presumably executed prior to the culminating sacrifice on the Capitoline).⁴⁹ Manlius' soldiers were each presented with the largesse of forty-two *denarii*, centurions received double that amount, while every cavalryman garnered three times as much. Many soldiers of all ranks, bearing military decorations, followed their commander, applauding and singing Manlius' praises. The People were also the beneficiaries of Manlius' extravagance. Their obligations from a *stipendium*, or extraordinary tax, were paid for from the loot of the Asian campaign. Livy noted that the advent of

⁴³For sources, see Broughton, *MRR* 1.321 (Africanus); 344 (Flamininus); 362 (L. Scipio); 433–34 (Aem. Paullus).

⁴⁴Manlius' deeds in Asia were so famous that Hannibal himself wrote a monograph about them in Greek, addressed to the Rhodians, who had assisted the Roman commander in his campaign against the Galatians: Nep. *Hann.* 13.2, with Ferrary 1988: 253n.93.

⁴⁵Liv. 38.44.9–50.3; 39.6.6–9, with Dauge 1981: 635 and n.198.

⁴⁶Liv. 38.45.3, 46.11–12; cf. Florus 1.27.2–3.

⁴⁷Liv. 39.6.3–6, for Terentius, see Broughton, *MRR* 1.368; Brennan 2000: 129, 731 (B.3 cont.).

⁴⁸On Manlius' contested triumph, see Pelikan Pittenger 2008: 98–100, 213–30.

⁴⁹Cf. Zonar. 7.21; Cic. *Verr.* 2.5.77. See Östenberg 2009: 161, for a catalogue of known executions of prominent war captives in triumphal processions.

Manlius and his army and the unprecedented excesses and opulence which followed in their wake “were merely the germs of the *luxuria* to come.” According to the annalist L. Calpurnius Piso Frugi, dinner couches, paneled side-boards, and one-legged tables decorated with bronze were seen for the first time in Manlius’ triumph.⁵⁰

Even when we make due allowance for literary amplification, it is still difficult not to be astounded by the triumph’s magnificence in any exercise of imaginative historical reconstruction. The triumphal spectacle was enshrouded in religious aura. When Cn. Fulvius Flaccus rejected a triumph, it was considered an offense against religion.⁵¹ The chant *io triumpe* was possibly Etruscan in derivation (and perhaps closely linked with the θρίαμβος of Dionysiac worship), and in its origins it may have been a ritual exclamation evoking a divine epiphany.⁵² This meaning was undoubtedly lost, or muted, in republican times. Indeed, according to the literary tradition the great hero of the Early Republic, M. Furius Camillus, created a scandal when he entered the city in triumph drawn by four white horses, too closely suggesting that he was the god Jupiter.⁵³ But some sort of analogy of the *triumphator* with the supreme god of the pantheon was lodged in the collective psychic substratum.

The celebration of the triumph was the only occasion when a man could cross the *pomerium*, or sacred boundary, holding *imperium militare*. The *triumphator* entered the city through the *Porta Triumphalis*, a special liminal marker, perhaps serving as the embarkation point for a magical entry-rite designed to incorporate the *imperator felix*, receiving his individual good fortune and translating it to the commonwealth. And since this singular gate was a one-way street, as it were, the city and People would have acquired and absorbed the general’s good fortune, preventing its departure.⁵⁴ During the

⁵⁰Cornell, *FRH* 9 frg. 36 (Plin. *HN* 34.14; cf. 37.12; August. *CD* 3.21), and further sources assembled at Broughton, *MRR* 1.369. Triumphs in this period of course pale in comparison with late republican triumphal displays, such as those of Pompey, Caesar, or Octavian. On escalating demands for ever more magnificent performances of public spectacle, both at Rome and in the Hellenistic Greek world, see Edmondson 1999. For Piso’s life, career, and annalistic history, see Cornell, *FRH* 1.230–39.

⁵¹Val. Max. 2.8.3, *ut si quid religionis insolentia commisisset* (“if he had committed any religious offense by his insolence”). The story in Valerius Maximus is problematic, since there is no Cn. Fulvius Flaccus on record other than the praetor of 212 (Broughton, *MRR* 1.268, 271n.2), who was defeated by Hannibal and charged with *perduellio* in 211 (Brennan 2000: 195, and n.83). But the basic point of the story is valid.

⁵²Versnel 1970: 11–55. Pliny (*HN* 7.56.191), for one, believed that Liber (Dionysus/Bacchus) invented the triumph.

⁵³Diod. 14.117.6; Liv. 5.23.5, 28.1; Plut. *Camill.* 7.1–2; Dio 52.13.3; *De Vir. Ill.* 23.4, and further references assembly by Broughton, *MRR* 1.88. According to Dio (43.14.3), four white horses pulled Caesar’s chariot in the triumphal procession of 46. But white horses do not seem to have been atypical in triumphs, see Beard 2007: 234–36.

⁵⁴Here I follow the interpretation of Versnel 1970: 132–63; cf. 378, “[T]here are many data which unquestionably indicate that to the Romans the triumph was a dynamistic *ritus*, dynamistic in the sense that a man whose *felicitas* had revealed his exceptional ‘power,’ brought his good luck, embodied in his person, into Rome.”

ceremony, troops would hurl coarse, obscene remarks at their general in a carnivalesque atmosphere, in which, as in the Saturnalia festival, a religious setting permitted the reversal of normative protocol. In the case of the triumph, these *ioci militares*—like the phallus, flail, and bells said to have been fastened to the *triumphator's* chariot, the iron ring he wore, and the *bullā* or amulet that accompanied him on his day of glory—may have served an apotropaic function to ward off envy (*invidia*), both mortal and divine.⁵⁵ Finally, without entering into the long-standing, vexed scholarly debate about the priority and relative importance of the *triumphator's* holding of *imperium* and *auspicium*, a favorable *auspicatio* had to be performed before the commander and his accompanying throng could cross the *pomerium* and enter the city.

The triumphing general evoked the supreme god Jupiter and, at least subliminally, the *rex* of the prerepublican period.⁵⁶ The celebration itself was a blurring of the recognized order of things on several registers, but especially concerning the boundary between mortal and immortal. As Lily Ross Taylor once noted, “the triumph . . . was the closest thing in Roman state ceremony to deification.”⁵⁷ That statement, undoubtedly true in general terms, leads to a host of questions. How are we to understand the nature of this intimation of some sort of divine immanence in the victorious commander on this day? What did his association with Jupiter mean to the throngs who witnessed it, from the most august senator to the lowliest plebeian? Most important for our purposes, how can we hope to articulate what the experience may have been like for the *triumphator* himself? In order to begin thinking about these questions, we can turn to a rough analogue in Herodotus' history.

In Book One, in a famous digression on Athenian antiquities, Herodotus tells the story of the exiled tyrant Peisistratos' triumphant return to Athens. Peisistratos and his supporters found a tall, beautiful young country girl by the name of Phya living in the deme Paiania, and they dressed her in full panoply as the patron goddess Athena. Placing Phya in a chariot after having instructed her in regal bearing, Peisistratos entered the city riding alongside the young woman who was impersonating the goddess, while his supporters had sent heralds ahead of him in order to proclaim that Athena herself was bringing Peisistratos back home to her acropolis, honoring him above all other men. The news soon spread throughout all the demes, and in the city, according to Herodotus, the people believed the young girl was actually Athena, and they welcomed the exiled ruler home enthusiastically. Peisistratos thus regained the tyranny. Herodotus prefaces this story with a judgment on the Athenians, stating that they must have been the silliest of all people in falling for this trick. This was astounding to the historian since the

⁵⁵ Cf. Versnel 1970: 380; Beard 2007: 247–49 is skeptical.

⁵⁶ See Beard 2007: 219–56.

⁵⁷ Taylor (1931) 2000: 57.

Greeks prided themselves on their powers of mind in relation to barbarians, and no people was more renowned for wisdom than these very Athenians, so easily duped in this instance by such a stupid ruse. Here we have an elite-instrumentalist interpretation *par excellence*.⁵⁸

In his editorializing, first-person statements on this episode in Athens' history in the Archaic Age, Herodotus serves as an ancient prototype for what Simon Price has called "methodological individualism." Price suggested that the "methodological individualist" studies elite organization and exploitation of public ritual and ceremonial under the assumption that they primarily serve to maintain elite predominance, so that his "methodological individualism" and my "elite-instrumentalism" clearly share many points of contact.⁵⁹ Following Price's criticism of such an approach to public ritual and ceremonial in civic life, and seeking to distance himself from "methodological individualism," W. R. Connor made good use of scholarship on the European Middle Ages and Renaissance in order to understand Peisistratos, Phya, Athena, and the restoration of tyranny at Athens as a sixth-century communal ritual drama articulating shared, collective representations. As he put it, "The citizens are not naïve bumpkins taken in by the leader's manipulation, but participants in a theatricality whose rules and roles they understand and enjoy. These are alert, even sophisticated, actors in a ritual drama affirming the establishment of a new civic order, and a renewed rapport among people, leader and protecting divinity."⁶⁰

Connor's interpretation of the role of nonelite bystanders in Peisistratos' procession into Athens has affinities with recent scholarship on nonelite, "invisible" Romans. In chapter 2 we have already seen that there is ample evidence for an independent plebeian culture in the city of ancient Rome, and this includes a somewhat autonomous religious culture, which could, for example, vie with elite representations in a contest over the commemorative history of the Gracchan revolution. Surviving plays of Plautus also suggest a populace that was far from naïve, but rather attuned to contemporaneous politico-cultural debates and politico-religious dimensions of civic ritual

⁵⁸Hdt. 1.60.3–5. Other sources for the story: Arist. *Ath.Pol.* 14.4; Kleidemos *FGrH* 323 F 15; Poly-aenus, *Strateg.* 1.21.1; Ath. 13.609.

⁵⁹Price 1984: 11, "Methodological individualists can study only the organization of ritual by the élite or by individual members of the élite and the political exploitation of royal ritual for propaganda purposes," with Merquior 1979: 80–84; cf. Rüpke 2015b: 5.

⁶⁰Connor 1987: 46; cf. 44, "The populace joins in a shared drama, not foolishly, duped by some manipulator, but playfully, participating in a cultural pattern they all share." Boardman 1989 hints that Peisistratos may have drawn analogies between himself and Herakles during the procession, but there is no direct evidence for this, and he does not engage directly with Connor's essential argument. On this remarkable passage, see also Parker 1996: 83–84 ("there could scarcely be a more plastic illustration of Athena's power in the sixth century to embody the identity of her people"); and Sinos 1993, who considers the passage in the context of divine epiphanies in Greek legend and chariot procession scenes on Attic black-figure pottery.

and ceremonial.⁶¹ For example, it is likely that the fuzzy boundaries between man and god were not lost on the audience of Plautus' *Amphitruo*, a play satirically evoking the triumph in no uncertain terms and perhaps targeting a particular triumphal celebration. Whether Plautus aimed his barbs at the triumph of M. Fulvius Nobilior, C. Livius Salinator, L. Scipio Asiaticus, or the great Africanus himself, we cannot say.⁶² And there is evidence for scathing invective against individual *nobiles* in wide circulation.⁶³ But what is most important for our purposes is the insistence of Connor—and of the scholarship on civic ritual in other historical periods from which he draws—that all of this is two-way, not unilateral, political and social communication.

Certainly there are important differences between Peisistratos' triumphal procession to Athens and the celebration of a triumph. Most significantly, the Phya episode was a singular event addressing a particular political crisis, whereas the triumph was an entrenched political, social, and religious institution at Rome, carrying a rich history and embodying collective cultural understandings and expectations. But nonetheless we can follow Connor's line of approach and see ritualized spectacle at Rome as part of a collective cognitive system, and think that at the celebration of a triumph everyone would have to some degree been an active participant in creating its political and social meanings. We are now in the realm of Clifford Geertz's "intersubjective world of common understandings into which all human individuals are born," or perhaps we have even stumbled upon an ancient analogue to Louis Althusser's "ideological state apparatuses," and in regard to republican political culture, we seem to have entered the domain of Egon Flaig's *Konsensritual*.⁶⁴ But our emphasis is on the elite religious practitioner and the meanings his ritual behaviors may have held for him.

The great advantage of such two-way communicative models, in which political, social, and cultural meanings are forged and negotiated collectively by means of ritualized public institutions, is that elite individuals are no longer able to slip out of their own historical and cultural contexts; to stand with Olympian detachment above and beyond the norms, parameters,

⁶¹ See Morstein-Marx 2004: 34–67, for the places in the city where these elite/non-elite interactions occurred.

⁶² Plaut. *Amph.* 186–261 (*ducto imperio auspicio*), with the modern studies assembled by Beard 2007: 254n.98. For the frequency of dramatic performances in this period, see Taylor 1937. On Plautus' *Amphitruo* and *carmina triumphalia*, see O'Neill 2003b, emphasizing the apotropaic nature of the soldiers' ribaldry, and connecting the play with the triumph of M. Fulvius Nobilior.

⁶³ Liv. 39.43.1 (from Valerius Antias), suggests that there may have been some sort of written invective against the cruelty and arrogance of L. Quinctius Flamininus, who executed a prisoner at his dinner table in order to impress his guest. Perhaps this was a *fabula praetexta* (so Livy), but Flower 1995: 172, plausibly suggests "a *libellus* of some kind." On the *fabula praetexta*, see Clark 2007: 109–114.

⁶⁴ Geertz 1973: 92; Althusser (1970) 1994; Flaig 1995. But the aforementioned ribald and scurrilous asides of the soldiers aimed at the *triumphator* remind us of the multiple registers of meaning of the ritual.

and prescriptions binding everyone else.⁶⁵ And yet, in privileging collective representations over individual experiences, we are in danger of losing an understanding of what elite religious behaviors may have meant to their practitioners. Models first developed by cultural anthropologists, focusing upon intersubjective, collective, symbolic cultural systems, but pushing historical individuals and individual agency to the margins, can only take us so far in understanding elite religious practices in the Middle Republic.

Let us return to the celebration of the triumph and try to put the individual *triumphator* back into it. If the pageantry were to be a complete success from his perspective, the victorious commander would be the unrelieved center of attention of the entire city on the day of his triumph—certainly not assured, given the rival attractions of the famous kings and queens who might be led in the procession, the exotic animals which might be seen for the first time at Rome, and the magnificent spoils of war, all of which might just upstage him. But in any event, he had won the right to celebrate this highest of honors—often only after bitter contestation and perhaps with the begrudging assent of his political peers among the elite—and he was well aware that he was being immortalized in the city's annals on that day.⁶⁶

It is reasonably certain that triumphal processions were not only a constant bombardment of stimuli, or sensory overload, but also extremely demanding physical exercises, and for no one more than the *triumphator* himself. The triumphal cortege would assemble in the early morning on the Campus Martius, and then set off on its prescribed route through the *Porta Triumphalis* and end up on the Capitoline hill. This procession would typically go on until late afternoon, perhaps in hot, dusty conditions, and the pace seems to have been agonizingly slow—the total distance traversed was probably only about five miles. The measured, deliberate march would have enhanced the spectacle for the bedazzled onlooker, but it must also have been excruciatingly taxing for the *triumphator*, who had to stand upright in his chariot with both hands occupied with scepter and laurel branch, riding over the bumpy streets of Rome, perhaps crowded in his mount by accompanying children and slaves, all the while maintaining the impassive gaze of the conquering *imperator*, required by the *auctoritas*, *gravitas*, and *dignitas* of his position, amidst the roars of the crowd.⁶⁷

⁶⁵ Cf. Muir 1981: 5, on civic rituals in sixteenth-century Venice: "Although civic rituals often served the rulers' interests, they were not just propaganda and did not pass messages only in one direction." For elites as most beholden to the ideologies they help to create, see Converse 1964; Merquior 1979: 1–38.

⁶⁶ For contested triumphs in Livy, our principal source for them, see Pelikan Pittenger 2008.

⁶⁷ See Suet. *Vesp.* 12; cf. SHA, *Septimius Severus* 16.6. Julius Caesar was discomfited in his Gallic triumph of 46 when the axle of his triumphal chariot broke, nearing toppling him out, ominously just in front of the Temple of Fortuna, or perhaps *Felicitas* (Suet. *Jul.* 37.2; Dio 43.21.1). On the roaring of the crowd, cf. O. *Am.* 2.1.33–34, *vulgus* "io" *magna voce* "triumphe!" *canet* ("the mob will chant "io triumphe!" with a thunderous voice").

If we are to believe a passage in the letters of the careless and petulant Byzantine polymath John Tzetzes, after this ordeal the *triumphator* still found the energy to run three times around “the place” (by which he must mean the Temple of Jupiter Optimus Maximus on the Capitoline) before he deposited his garland.⁶⁸ This was the climax of the triumphal ritual, and we would do well to think of ritual performance in this context, with Clifford Geertz, as confounding “the world as lived and the world as imagined, fused under the agency of symbolic forms . . . producing . . . idiosyncratic transformation in one’s sense of reality.” At this epiphanic moment, the *triumphator*-qua-Jupiter conducted the culminating ritual sacrifice at Jupiter’s temple. On several registers, this was an instant of radiant insertion of the divine into the matrix of human experience, an immanence of eternal godhead mediated through an ephemeral, mortal agent. To use the formulation of Verity Platt, here “the categories of sign and referent inexorably coalesce.”⁶⁹

What did it all mean to the *triumphator*? While we certainly do not want to put too much credence in Tzetzes’ notice, we still might think such a feat to have been possible, given the psychic charge of playing the leading role in this communal, religious enactment, the adrenaline blast of flirting with divinity (however we may choose to interpret this), and (dare we say?) the altered state of consciousness induced by this culminating, once-in-a-lifetime event for the principal actor. Others, at any rate, apparently perceived an immanent dynamism in the person of the *triumphator felix*. In his *Life of Sulla*, Plutarch relates how the beautiful Valeria, daughter of Messalla and sister of the great orator Hortensius, plucked a piece of lint from the mantle of the triumphing dictator because she wanted this relic in order to enhance her own prospects for good fortune.⁷⁰ The idea that the *triumphator* could have been able to stand aloof from all of this in psychological and emotional terms has little to commend it. As Ida Östenberg reminds us, “participants and spectators alike are partakers, there is constant interplay between actors, audience, and stage, and the formalization of ritual forces the participants into fixed roles.”⁷¹

The triumph was both an actual and a symbolic expression of the increase of power.⁷² We can conclude this section with a brief glance at one

⁶⁸Tzetzes, *Epist.* 107, pg. 86, εἶτα τρίς κυκλῶν τὸν τόπον περιτρέχει. According to Dio (60.23.1), the emperor Claudius culminated his triumph over Britain in 41 C.E. by ascending the Capitol on his knees, in the ancestral manner (κατὰ τὸ νομιζόμενον πράξας).

⁶⁹Geertz 1973: 112; Platt 2011: 58.

⁷⁰Plut. *Sull.* 35.4–5, with Versnel 1970: 361–62. For Sulla *felix*, see Cic. *Rosc. Am.* 47.136–37; Val. Max. 6.4.4; 9.2.1, with Balsdon 1951. The encounter led to Sulla’s marriage to Valeria.

⁷¹Östenberg 2009: 12.

⁷²Val. Max. 2.8.4 (*aucto imperio*); cf. Val. Max. 4.1.10a: censors’ prayer for making the Roman state better and greater (*meliores amplioresque*); and Plut. *Rom.* 16.5 (increase through conquest). Cf. Beard 2007: 160, “[T]he procession served as a microcosm of the very processes of imperial expansion; it literally enacted the flow of wealth from the outside into the center of the Empire.”

way in which the *res publica* may have been divinely augmented by military success in the context of the triumph. In addition to the various displays, the captives, the animals, and the booty on parade, the former tutelary gods of the conquered enemy could also be brought into Rome and added to the pantheon by the ritual practice of *evocatio*. By this solemn ritual ceremony priests literally “called out” the chief divinity of the city under siege and invited the god to return with the victorious army to Rome, promising a better home there. Once gaining the deity’s consent, Roman forces were thought to have had an easier time in capturing the city, since it would now have lacked divine protection. In the religious sphere, therefore, we have another example of the policy of inclusion or incorporation noted in the introduction to this chapter: new gods would be brought in and worshipped at Rome.⁷³

It is uncertain how often *evocationes* were carried out.⁷⁴ Our textual evidence for *evocatio*, it must be said, leaves much to be desired: we mostly have brief, singular reports, or allusions, from sources that do not inspire the greatest degree of confidence. The earliest and most fully narrated case is the famous sack of Veii in 396, as it is recounted by Livy. According to the historian, the dictator M. Furius Camillus invoked Pythian Apollo, promising him a tithe of the spoils, and he vowed a temple to Juno Regina of Veii at Rome, should she consent to leave her home and take up residence in the conquering city. Another early instance may have been when Ap. Claudius Caecus vowed a temple to Bellona in 296 in the course of the Third Samnite War.⁷⁵ Then we have M. Fulvius Flaccus’ possible *evocatio* of Vortumnus from Etruscan Volsinii. The god’s temple was built on the Aventine and dedicated in 264.⁷⁶ In addition, Minerva Capta and Juno Curitis may have been brought to Rome in this way from Falerii Veteres in 241.⁷⁷ Scipio Aemilianus may have performed an *evocatio* of Juno Caelestis (the Punic goddess Tanit)

⁷³ On *evocationes*, see Basanoff 1947; Le Gall 1976; Rüpke 1990: 162–64; Gustafsson 2000; Ando 2008: 128–48; cf. BNP 1.34–35, 132–34. Gustafsson 2015 gives a salutary warning against possible historical distortions created by reifying religious practices in exceptional circumstances as fixed ceremonies, pointing out that there has been a tendency to translate verbal forms in our Latin sources—which suggest adaptation and process and not ossified ritual protocol—with substantive forms.

⁷⁴ But note that Pliny the Elder (*HN* 28.18–19), citing Verrius Flaccus, states that Roman priests (*sacerdotes*) carried out the ritual of *evocationes*, and he implies that it was a fairly regular practice (cf. Macrobian *Sat.* 3.9.13). Interestingly, Pliny goes on to say that the *pontifices* have kept Rome’s tutelary deity a secret so that an enemy would not be able to turn the ritual practice against the Romans; see also Macrobian *Sat.* 3.9.3; Plut. *Mor.* 278f–279a.

⁷⁵ Liv. 5.21.1–4 (Veii), with Broughton, *MRR* 1.88; Ogilvie 1965: 673–75; Liv. 10.19.17–18 (Bellona), and further references at Broughton, *MRR* 1.176, with Forsythe 2005: 341–42.

⁷⁶ Prop. 4.2.1–4; cf. Plin. *HN* 34.34. On the temple on the Aventine, see Richardson 1992: 433. Macrobius (*Sat.* 3.9.13), for what it is worth, says that the Romans performed the ritual of *evocatio* at Fregellae, Gabii, Veii, and Fidenae in Italy, at Carthage and Corinth, and in many other places in Gaul, Spain, and Africa.

⁷⁷ O. *Fast.* 3.843–44, 6.49–50.

before the fall of Carthage in 146; and the latest attested example may have occurred in present-day Turkey in 75.⁷⁸

Given the few references we have in ancient sources to this ritual practice, it would be hazardous to put too much weight on it in historical reconstruction. But only the most adamantly skeptical scholar would consider that the *evocatio* ritual was made up out of whole cloth in our literary sources, with absolutely no historical foundations. It is first attested in 396 with the sacking of Etruscan Veii; it may have been employed at the time of the destruction of Carthage in 146; it appears in an inscription from Isaura Vetus dating to 75; and it was still known to Macrobius at the end of the fourth century or the beginning of the fifth century C.E. Observing all due caution regarding this military ritual, we can consider elites' possible motivations for conducting an *evocatio* ceremony. It is difficult to see how this ritual performance would have served to instill discipline and control over predatory troops in eager anticipation of pillage at the moment a city was on the verge of being sacked. Assuming that the migrant foreign deity might have come to Rome in the context of a triumphal celebration, one might well wonder what impact the new arrival would have had on the gazing populace, as—like the *triumphator* himself—the adopted god would have had to compete for attention with all of the other spectacular seductions of the extravaganza.⁷⁹ And finally, in consideration of the possible addition of new and unknown deities through *evocatio*, we can return to the point raised in chapter 2 about the problems of religious fragmentation and divided priestly authority, and their ramifications for the idea of hierarchical elite control over the state religion, not to mention over nonelite, unofficial forms of religious practice.

II. ACCUMULATIVE CIVIC POLYTHEISM AND TWO CASE STUDIES: BACCHANALIA AND MAGNA MATER

If we can be certain of neither the frequency of military *evocationes* nor of the number of foreign gods who may have come to Rome in this way, there is no doubt that there was a steady stream of new deities introduced into the city by other means. Some divinities were brought into prominence by having new temples, public festivals, and games dedicated to them, and several

⁷⁸ Macrobius, *Sat.* 3.9.7–9, with Alvar 1985: 254–58; Servius, *Aen.* 12.840 (Carthage), with Watson 1993: 53n.19; cf. Forsythe 2005: 249. Le Gall 1976 suggested that an inscription (AE (1977) 816, with BNP 1.133) dated to 75 of the proconsul P. Servilius Vatia from Isaura Vetus in present-day Turkey (BAGRW 66A-2) might indicate an *evocatio* ritual; cf. Alvar 1985: 247–48; Gustafsson 2000: 60–62. I discuss Scipio Aemilianus' *evocatio* of Juno Caelestis at Carthage at further length in chapter 5, section 3.

⁷⁹ Östenberg 2009: 90, however, points out that we know of no cult statue brought to Rome by way of *evocatio*.

festivals in their honor were established in the capital during the third and second centuries. The number of public religious festivals more than doubled in the time of the Second Punic War, and eventually there were over forty different kinds of *ludi* in Rome with specific names, always associated with the worship of the gods (falling under the broad rubrics of votive, commemorative, and religious games). Over time the aediles became responsible for the celebration of most of these, and Cicero gives the impression that this was the aediles' most important and solemn task.⁸⁰ Attention to performances of games and dedications or restorations of temples were serious business, and sometimes specific religious injunctions from the gods came about through what we should call unofficial means (further supporting the principal argument in chapter 2 concerning the haphazard, nonhierarchical nature of Roman religion). For example, in 491 a plebeian received dreams from Jupiter instructing him to inform the Senate that the *Ludi Magni* must be repeated. The authorities duly complied.⁸¹ In the year 212, games for Apollo were celebrated at Rome for the first time. Verses of a certain seer named Marcius, as it was later discovered, had predicted the disaster at Cannae in 216, and they also prophesied that the Romans should honor Apollo with annual games, with the *decemviri* sacrificing victims according to Greek rite, if they hoped to expel the enemy from their land. Prompted by these verses, the Senate ordered the decemvirs to consult the Sibylline Books, two decrees of the Senate were issued, and the games were instituted.⁸² Or take the case of Caecilia Metella, daughter of a senator, who reported a dream in which Juno Sospita indicated that her temple must be restored, a demand that was promptly obeyed. Through unofficial channels such as these, major religious innovations could arise at Rome.⁸³

Religious adaptations and modifications reached back into the early history of the Republic, resulting in an ever-increasing pantheon. According to one tradition, the Romans devised the banquet for the gods (*lectisternium*) for the first time during the Veientine War, and they also consulted the Delphic oracle of Apollo at that time.⁸⁴ In the third century, we see a great deal of religious innovation, with new additions to civic polytheism coming mainly as a consequence of contact with Greek culture. In 294, apparently under the influence of Greek *Nike* cults of the late fourth century, the Romans adopted the cult of *Victoria*, with a temple dedicated in that year to this divine abstraction.⁸⁵ The cult may have arisen in the course of the Third Samnite War,

⁸⁰ Cic. *Verr.* 2.5.36, with assembled references at Bernstein 1998: 52n.171.

⁸¹ Liv. 2.36.1–8; Dion. Hal. *Rom. Ant.* 7.68.3–69.2, 73.5; Macrobian. *Sat.* 1.11.3–5.

⁸² Liv. 25.12.2–15; cf. Macrobian. *Sat.* 1.17.27–30, with Bernstein 1998: 171. For “Greek rites,” see Scheid 1995; Scheid 2005: 87–122.

⁸³ Obsequ. 55; Cic. *Div.* 1.2.4, 1.44.99, with Schultz 2006.

⁸⁴ *Lectisternium* (399): Liv. 5.13.6; embassy to Delphi (398): Liv. 5.15.3–4.

⁸⁵ Liv. 10.33.9, with Richardson 1992: 420 for the *aedes Victoriae*.

along with that of Jupiter Victor, further reflecting religious influences from the contemporary Hellenistic world.⁸⁶ In 293, Aesculapius, Greek god of the healing arts, was summoned from Epidaurus.⁸⁷ Among imported Greek deities, Aesculapius stands out as being the first one brought directly to Rome from mainland Greece, during a time of plague and following a consultation of the Sibylline Books.⁸⁸ Later in the century, the plebeian aediles L. and M. Publicii Malleoli established games in 238 for Flora, an archaic Italian goddess of flowering crops and plants, and dedicated a temple in her honor.⁸⁹ These games were made a part of the annual festive calendar in 173, perhaps as a response to a devastating pestilence in the preceding year.⁹⁰ The institution of the *Floralia* should be read within the context of a similar pestilence a few years earlier, in 182–180, when the authorities restored a temple of Apollo Medicus as an official response, probably in 179.⁹¹ At this time, gifts and gilded statues were presented to the Greek gods Apollo and Aesculapius, and to the native Italic god Salus, as well as a two-day period of prayer.⁹² Indeed, Livy frequently reports recourse to Apollo in times of crisis, and especially whenever pestilence struck Rome.⁹³

New permanent festivals honoring particular deities in novel ways were devised under the pressures of the Hannibalic War. In 220 or 219, the festival for the goddess Ceres, another ancient Italic female fertility divinity, was expanded to include dramatic plays (*Ludi Ceriales*). Ceres is a particularly interesting deity who illustrates how divinities could multiply at Rome. In her case we have three distinct cults arising from one goddess: the ancient Italic cult concerned with agricultural productivity, the cult specifically associated with the plebeians, who according to tradition dedicated a temple to her on the Aventine hill in 493, and a mystery cult that was the exclusive preserve of women, associated with the cult of Demeter in Magna Graecia. Concerning the Aventine cult, Cicero says that the rituals of the temple were Greek in origin, called by Greek names, and that the priestesses were drawn from Magna Graecia. They were made citizens, so he states, in order that they might offer prayers to the gods with foreign knowledge, but with a domesticated and civil

⁸⁶ Forsythe 2005: 362.

⁸⁷ See Val. Max. 1.8.2; Liv. 10.47.6–7; cf. Liv. *Per.* 11, with Forsythe 2005: 344. For a vivid poetic account of Aesculapius' arrival at Rome in the form of a serpent, see O. *Met.* 15.626–744.

⁸⁸ Liv. 10.47.6–7; Val. Max. 1.8.2; *De Vir. Ill.* 22; Orosius 3.22.5, with Richardson 1992: 3–4.

⁸⁹ *Floralia* and temple in 238: Plin. *HN* 18.286; cf. Tac. *Ann.* 2.49, with Bernstein 1998: 207–223. On the antiquity of Flora, see Varro, *Ling.* 5.74, with Wissowa, *RK*² 198.

⁹⁰ O. *Fast.* 5.295–330; for the pestilence of 174, see Liv. 41.21.5–7, with Morgan 1990: 19–26.

⁹¹ Pestilence in 182–180: Liv. 40.19.3–6; 40.36.14. According to Livy (4.25.3, 29.7), the Romans introduced Apollo Medicus to Rome, dedicating a temple to the god during a plague in the fifth century upon consultation of the Sibylline Books. For the restoration of the temple, see Morgan 1990: 26n.60.

⁹² Liv. 40.37.1–3.

⁹³ Temple for Apollo constructed in 431: Liv. 4.29.7; temple of Apollo restored in 353: Liv. 7.20.9; vows and dedications to Apollo: Liv. 4.25.3, 29.7; 5.23.8–11; 7.20.9; 27.22.2–6, 23.6–7; 40.37.1–3.

spirit.⁹⁴ The *Cerialia* festival was established as a multiday celebration sometime before 202, occurring in the busy festive month of April (preceded by lesser entertainments and the *Ludi Megalenses*, with the *Fordicidia* occurring in the middle of it).⁹⁵

After the set-back at the Trebia in 218 and in response to numerous portents, various propitiations for the gods were undertaken at Lanuvium and at Rome. These included the sacrifice of five victims on behalf of the *genius* of the People, and the praetor C. Attilius Serranus made a vow “if the state should survive in its present state for another ten years.”⁹⁶ Under the increasing pressure of Hannibal’s onslaught, after the debacle at Trasimene, Venus of Eryx in Sicily and Mens (both probably of Greek origins) were vowed temples on the Capitoline in 217.⁹⁷ The *Ludi Megalenses* themselves were instituted in 204 in honor of the Magna Mater, conducted with great pomp and ceremony to Rome from Pessinus (or perhaps Mt. Ida in the Troad) in Asia Minor in that year, and made part of the annual festive calendar in 194.⁹⁸ In 191, the goddess received a temple under the direction of the peregrine praetor M. Iunius Brutus, and for the first time scenic performances formed part of the celebrations.⁹⁹ As we have seen, the *decemviri*, at the instigation of the “Marcian verses,” recommended the institution of the *Ludi Apollinares*, which were held as extraordinary votive games (*ludi votivi*) for several years (212–209), before they became a permanent fixture in the festive calendar in 208.¹⁰⁰ The ancient festive games of the *Ludi Romani* and *Ludi Plebeii* were repeated (*instaurationes*) no less than ten times during the years in which Hannibal was at large in Italy, and the votive games (*ludi votivi*) that were celebrated in Rome in 217, 207, and 203 were of a newer, more elaborate type than their predecessors.¹⁰¹

We have touched upon only some of the major public religious festivals in honor of the gods, and in the Early and Middle Republics there was a series of temples dedicated to abstract deities, such as *Pietas*, *Fides*, *Honos*,

⁹⁴ Cic. *Balb.* 24.55, *ut deos immortales scientia peregrina et externa, mente domestica et civili precaretur*. For the temple, see Richardson 1992: 80–81. The cult on the Aventine thus further illustrates the chaotic fragmentation of religious authority discussed in chapter 2. On Ceres generally, see Spaeth 1996.

⁹⁵ Liv. 30.39.8; see Bernstein 1998: 163–71.

⁹⁶ Liv. 21.62.1–11, *si in decem annos res publica eodem stetisset statu*.

⁹⁷ Liv. 22.9.10, 10.10. The Capitoline temple was dedicated in 215; Liv. 23.30.13–14, 31.9. Venus Erycina received another temple near the Porta Collina in 181; Liv. 40.34.4, with Richardson 1992: 408.

⁹⁸ For the celebrations in 204, see Liv. 29.14.14; for the games in 194, under the direction of the curule aediles, see Liv. 34.54.3–4.

⁹⁹ Liv. 29.14.14; 34.53.3; Cic. *Har. Resp.* 11.24; dedication of temple: Liv. 36.36.4; cf. O. *Fast.* 4.347, with Bernstein 1998: 186–206.

¹⁰⁰ Liv. 25.12.8–15; 26.23.3; 27.23.5–7, with Bernstein 1998: 171–86; cf. Taylor 1937: 289.

¹⁰¹ For the *instaurationes* of the *Ludi Romani* and *Ludi Plebeii*, see the chart at Taylor 1937: 292; for the *ludi votivi*, see Liv. 22.9.10, 10.7; 27.33.8; 30.27.12.

Virtus, Concordia, Fortuna Equestris, Libertas, Ops, Salus, and Spes.¹⁰² The divine augmentation of Rome through the revitalization of old gods, the importation of new deities, the repetition of religious festivals, or even the acquisition of relics with numinous powers apparently knew no bounds, as when in the Late Republic M. Aemilius Scaurus, who had served in Pompey's eastern campaigns, claimed to have brought home the bones of the sea-monster slain by the mythical hero Perseus from Joppa as part of the lavish entertainments of his aedileship in 58.¹⁰³

The penchant for divine multiplication is evident even in the public worship of the supreme deity. Jupiter himself apparently needed the assent of the "agreeing gods," the *dii consentes*, an advisory council of twelve gods (Juno, Vesta, Minerva, Ceres, Diana, Venus, Mars, Mercury, Iovis, Neptune, Vulcan, and Apollo), a grouping already known to Ennius. The *dii consentes* were offered a three-day public feast (*lectisternium*) in the Greek style in 217 after the disaster at Trasimene.¹⁰⁴ Beyond the level of what we can call the state religion, the plethora of deities seems to have been almost limitless. Oaths, private as well as public, were sanctified by swearing to *Dius Fidius* or *Semo Sancus*, a god whom the Romans already revered, according to Dionysius of Halicarnassus, in the regal period, and a temple was supposedly built for him on the Quirinal hill by the last Tarquin and finally dedicated in 466.¹⁰⁵ Private worship of the deified quality of well-being, *Salus*, may well have predated her official worship and dedication of a temple on the Quirinal in 302.¹⁰⁶ Every family had its own gods of the household and hearth, the *lares* and *penates*, and within the clan, the *paterfamilias* (and perhaps the *domina*) of the family had his own *genius*, a sort of personal god who protected him.¹⁰⁷ He could swear by this individual *genius*, but the conception was at some point extended beyond the individual: male associations could have a

¹⁰² *Pietas*: dedicated in 181 by M'. Acilius Glabrio (Liv. 40.34.4–6; Val. Max. 2.5.1); *Fides*: Dedicated by A. Atilius Calatinus during the First Punic War and restored by M. Aemilius Scaurus in 58 (Cic. *NatD.* 2.23.61, with Richardson 1992: 151); *Honos ad Portam Capenam*: founded by Q. Fabius Maximus in 234 (Cic. *NatD.* 2.23.61, with Richardson 1992: 190); *Honos et Virtus*: vowed by M. Claudius Marcellus in 222 and dedicated by his son in 205 (Liv. 29.11.13; Cic. *NatD.* 2.23.61); *Concordia*: shrine set up in 304 by Cn. Flavius (Plin. *HN* 33.6.19; Liv. 9.46.6); *aedes* built in 121 by L. Opimius (App. *BC* 1.3.26; Plut. *C. Gracch.* 17.6); *Fortuna Equestris*: dedicated by Q. Fulvius Flaccus in 173 (Liv. 42.10.5, with Bernstein 1998: 277–78); *Libertas, Ops, and Salus* (Cic. *NatD.* 2.23.61; cf. Cic. *Leg.* 2.11.28); *Spes*: temple built and dedicated by A. Atilius Calatinus during the First Punic War (Cic. *Leg.* 2.11.28; Tac. *Ann.* 2.49 (dedication by Germanicus)). On abstract deities in republican Rome, see Clark 2007; for a catalogue of mid-republican temple foundations, see Ziolkowski 1992: 17–189; Pina Polo 2011: 142–60.

¹⁰³ Plin. *HN* 9.11; Amm. Marc. 22.15.24.

¹⁰⁴ Sen. *QNat.* 2.41 (gods "*superiores et involuti*"); Ennius: Apul. *DDS* 2; Mart. Cap. 1.42 (*ROL* 1, frags. 60–61); *lectisternium*: Liv. 22.10.9.

¹⁰⁵ Dion. Hal. *Rom. Ant.* 4.58.4; 9.60.8; cf. O. *Fast.* 6.213–18.

¹⁰⁶ See, for example, Plaut. *Asin.* 712–13, 727; for the temple, see Liv. 10.1.9; Cic. *Sest.* 63.131, with Richardson 1992: 341–42.

¹⁰⁷ Amm. Marc. 21.14.2–5; Censorinus, *DN* 3; cf. Hor. *Ep.* 2.2.187–89.

collective protecting spirit (e.g., *genius legionis*), as could specific locations (*genius loci*).¹⁰⁸ The great families had their own ancestor cults, famously illustrated in statuary by the *togatus Barberini*, and the *Parentalia* and *Lemuria* festivals, although public cults, seem to have been devoted to private, domestic rites for deceased souls.¹⁰⁹ At the other end of life's spectrum, if we can put credence in St. Augustine's irascible tirade against polytheism, we have ritual invocations of various deities before, during, and after parturition. *Felicitas* was implored during pregnancy for natural abilities in the unborn child; *Lucina* was the goddess for an easy childbirth; the new-born was commended to *Ops*; crying infants to *Vaticanus*; babies lying at rest were entrusted to the protection of *Cunina*; breast-feeding infants to *Rumina*; toddlers able to stand to *Statilinus*, those able to walk towards someone to *Adeona*; those able to walk away from someone to *Abeona*.¹¹⁰

The foregoing discussion of the multiplicity of gods and goddesses at Rome has by no means provided an exhaustive list. Its purpose has rather been to underscore the fact that, at both the level of the state religion and that of private worship, Roman society was teeming with gods, and—concerning the official cults—to convey something of what I mean by the phrase accumulative civic polytheism. In the remainder of this section, we shall focus on two particular deities—Magna Mater or Cybele, introduced to Rome in 204, and Bacchus, whose worship elicited a famous crackdown by the Senate in 186. The authorities' responses to these two divinities and their cults, similar in their characteristics (or at least in representations of their characteristics), defy attempts to find a set policy on the part of the religious authorities concerning the importation of new gods to Rome.¹¹¹

With a focus on imperial expansion and the wider Mediterranean world, it is easy to interpret the introduction of Magna Mater, or the Idaean Mother of the Gods, largely in terms of international diplomacy, particularly in relation to the Attalid kingdom of Pergamum, and to think that the Romans were to some degree already looking past Hannibal and towards an inevitable and deeper involvement with the great Hellenistic monarchies, lesser dynasts, federal states, and individual *poleis* in Greece and the Greek east. Rome was solidifying an important diplomatic connection in Asia Minor

¹⁰⁸ See Rüpke 1990: 170–71; for oaths taken by swearing to the *genius*, see Sen. *Ep.* 12.2; cf. Várhelyi 2010: 187–92, with emphasis on senatorial *genius* cult for emperors.

¹⁰⁹ For cults of the dead, see Toynbee 1971: 61–72.

¹¹⁰ August. *CD* 4.21, with Rüpke 2007: 79.

¹¹¹ The earliest literary association of Dionysus and Cybele is, to the best of my knowledge, Pind. *Dithyr.* frg. 61, lines 3–8 (Bowra); the *locus classicus* is Eur. *Bacch.* 72–82; cf. *Hel.* 1364–65, with Dodds 1960: 76–77 (Comm. *ad Bacch.* 78–79) and Versnel 1990: 180; Eur. *Cretes* (Austin 1968: frg. 79, 9–15); Eur. *Palamedes* (frg. 586 Kannicht); Strabo 10.3.14–15 (C 470). An Attic red-figure volute crater, now in Ferrara, dating to ca. 440, may represent Cybele and Dionysus together (ARV² 1052, 25). For the essentially alien nature of Cybele in fifth-century Greece, with a focus on Herodotus' Scythian *logos*, see Hartog 1988: 74–75, 80–82.

with Pergamum, the introduction of Magna Mater helped to restore Rome's image in the international community after the somewhat embarrassing conclusion of the so-called First Macedonian War, and the ambassadorial missions to Delphi carried out in connection with the overture to Attalus further enhanced Rome's reputation in the Greek world. Rome's interest in Magna Mater must be understood, at least in part, in relation to Asia Minor and the Troad, indirectly highlighting the supposedly Trojan origins of Rome. By adopting this myth, the Romans ingeniously gained entry to the Hellenic cultural commune, while at the same distancing themselves (*qua* Trojans) from Greeks, and thereby securing a distinctively Roman cultural identity.¹¹²

Diplomatic objectives of the mission can hardly be denied, but they do not exhaust Roman motivations. We should add to them, in my view, religious fear as an inducement on the part of the elite at Rome. It is difficult not to be struck by the facts that Philip V of Macedonia had formed an alliance with Hannibal in 215, when the Carthaginian commander was at the height of his power in Italy (the Romans therefore clearly had a score to settle with Philip on that account), and that meanwhile Antiochus III Megas loomed as a potential threat to Roman security, when his international reputation soared as he conducted his famous campaigns in the east in emulation of Alexander.¹¹³ In addition to the problem of Hannibal, therefore, the senators are likely to have foreseen a future war with Philip (which of course came to fruition almost immediately after Hannibal's final defeat), and it was probably lost on few of them that Antiochus might well contest any hegemonic gains the Romans could establish in Greek lands (and of course a war against Antiochus would come to pass, at the instigation of the Aetolians). Surely these concerns and insecurities must have been part of the senators' ruminations, underlying their elaborate diplomatic approach to Attalus.

With historical hindsight, we might easily discount the idea of serious apprehensions at Rome concerning Hannibal's continuing presence in Italy. How could there possibly have been real fears regarding him at this time, resulting in extraordinary religious measures, such as a consultation of the Sibylline Books, and on their instruction the importation of a new and strange deity to Rome? After all, in the years after inflicting a devastating defeat on Rome in the debacle at Cannae in 216, Hannibal had been neutralized by the temporizing tactics of Fabius Maximus Cunctator. Moreover, the Spanish theater of the war had turned in Rome's favor, the massive defections of Rome's Italian allies had failed to take place (at least not to the degree required for Hannibal's overall plan for the war to have succeeded), and a

¹¹²Gruen 1990a: 5–33; Bernstein 1998: 186n.393, assembles references for earlier literature on the introduction of Magna Mater to Rome. For a good summary, including discussion of the archaeological remains of the Magna Mater sanctuary on the Palatine, see Roller 1999: 263–85.

¹¹³For Philip's treaty with Hannibal, see Polyb. 7.9.1–17, with Walbank, *Comm.* 2.42–56; for the image and the reality of Antiochus' *Anabasis*, see Gruen 1984: 612–19.

Carthaginian relief force had been intercepted and defeated in 207 at the Metaurus river.¹¹⁴ In the end, Hannibal had been bottled up in southern Italy, with a dwindling, demoralized army and uncertain lines of supply. The outcome must have seemed nearly certain, with the time and place of the inevitable victory to be determined within a short compass.

The trauma of Hannibal's crushing victories at Trasimene and Cannae, however, was deeply rooted, and like the dreaded memory of the early fourth-century Gallic occupation of Rome, it was lodged in the Romans' collective psyche.¹¹⁵ There could be little psychological comfort as long as Hannibal was at large in Italy.¹¹⁶ Such an interpretation of Roman perceptions is borne out by the rather disgraceful end of the elderly Carthaginian exile at the court of King Prusias I of Bithynia: in late 183 or early 182, the sixty-four year old Hannibal committed suicide by ingesting poison in order to avoid capture by the Roman agents who were closing in on him at his country house.¹¹⁷ Moreover, the situation in Italy in 205 was more precarious than some scholars have allowed. Mago, son of Hamilcar, had sailed in the summer to Liguria with 30 ships, 12,000 land forces, and 200 cavalry, and he captured Genoa. Shortly thereafter he received reinforcements from Carthage and pledges of allegiance from the Ingauni, a tribe of the Ligurian Gauls. According to Livy, his Gallic allies increased day by day. The historian explicitly states that these developments were a grave concern in the Senate.¹¹⁸ And in 204, as we have noted, there were other menacing dangers in addition to Hannibal and a fresh Carthaginian army in Italy: Antigonid Macedonia and Seleucid Syria.

Let us take a closer look at these perceived threats to Roman security. Both at the time of the Macedonian pact with Hannibal in the aftermath of Cannae, and at the time of the Peace of Phoenice in 205, which acknowledged Macedonian gains against the Aetolians, Philip V's military capabilities were still undiminished. Up until this time, the Romans' most indelible memory of direct military conflict against a Hellenistic monarch leading the type of army that was Alexander's legacy was the titanic, albeit brief, struggle against King Pyrrhus. From a Roman perspective, the result of that contest was not an unqualified success. Philip was, unlike Pyrrhus, the undisputed king of Macedonia, Alexander's realm, and we know from a famous passage in Livy that later Romans (and Greeks) speculated about the outcome,

¹¹⁴For the jubilation at Rome after the battle, see Polyb. 11.3.4–6; Liv. 27.50.1–51.13; cf. Liv. 28.11.8–11 (farmers allegedly returning to their land due to the security of Italy as a result of the Metaurus victory). For Hannibal's strategy, see Fronda 2010: 34–52, 280–330.

¹¹⁵See Bellen 1985.

¹¹⁶Cicero (*Har. Resp.* 13.27), connected the importation of Magna Mater and Hannibal's continuing presence in Italy; cf. Sil. *Pun.* 17.1–47; App. *Hann.* 9.56; Arnob. *Ad nat.* 7.49–50; Amm. Marc. 22.9.5–7; *De Vir. Ill.* 46; Julian *Or.* 5.159c.

¹¹⁷For discussion and sources, see Walbank, *Comm.* 3.235–39; Hoyos 2003: 205–206 and n.7.

¹¹⁸Liv. 28.46.7–12; 29.5.2–4, with Burton 1996: 39.

had Alexander turned his military ambitions towards Italy and the western Mediterranean.¹¹⁹

At the time of the importation of Magna Mater, Philip's defeat on the battlefield of Cynoscephalae was still some seven years off in the future. The result of that battle sent shock waves throughout the Mediterranean world, as Greeks had considered the Macedonian phalanx of pikemen nearly invincible.¹²⁰ As for Antiochus, the Senate at this time could only have guessed at the Seleucid monarch's actual power and intentions. Livy repeatedly reports the fears aroused at Rome by Antiochus, and it was certainly no coincidence that the institution of the *Megalesia* with dramatic performances and the dedication of Magna Mater's temple on the Palatine occurred in 191, on the eve of the showdown against Antiochus in Asia Minor.¹²¹ Livy makes the connection in no uncertain terms, stating that the games held together with the temple dedication were conducted with greater religious intensity (*maiore religione*) because the war against Antiochus was imminent.¹²² Moreover, there was the possibility that Philip and Antiochus might combine forces. Aside from Philip's alliance with Hannibal, the Macedonian king was drifting towards an agreement with the Seleucid ruler, formalized by the "pact between the kings" in the winter of 203/202 for a planned dismemberment and sharing out of the Ptolemaic realm, and Hannibal himself would indeed later end up at Antiochus' court, offering his services to the king who seemed most able to defeat the forces of the Republic.¹²³ At the time of the importation of Magna Mater, therefore, there was a great deal for the senators to worry about concerning security.

Livy provides our fullest description of the actual reception of the goddess at Rome. According to his account, frequent showers of stones in 205 had sent the priests to a consultation of the Sibylline Books, which prescribed that in the event of a foreign invasion of Italy, the attacker could be defeated and driven away if the Idaean Mother should be brought to Rome from Pessinus

¹¹⁹ Liv. 9.17.1–19.17; cf. Liv. 31.7.8–12 (in 200 P. Sulpicius Galba compares Philip and Pyrrhus, to the former's advantage). For Alexander's image and posthumous reputation, see Stewart 1993.

¹²⁰ In a well-known passage (18.28.1–32.13), Polybius compared the Macedonian phalanx and the Roman manipular formation, in order to explain to his readers why the Romans were able to prevail at Cynoscephalae. As he states (18.32.13), this was necessary because many Greeks continued to wonder how the Macedonian phalanx could possibly have been defeated.

¹²¹ For Roman apprehensions about Antiochus, see Liv. 33.44.5–6; 36.1.1–5. For the connection between the *Megalesia* and fears concerning Antiochus, see Bernstein 1998: 187–200, esp. 195–96; for the dedication of the temple in 191, see Liv. 36.36.4–5. The *aedes Iuventutis* was also dedicated by a duumviral commission in that year.

¹²² Liv. 36.36.7.

¹²³ For the principal sources for the "pact between the kings," see Polyb. 15.20.1–8; cf. 3.2.8; 14.1a.4; 16.1.8–9, 24.6; Liv. 31.14.5; App. *Mac.* 4, with Walbank, *Comm.* 2.471–73; Eckstein 2005; Eckstein 2008: 121–80. At the end of the consular year 203/202, a three-man commission went to Greece to protest Philip's violations of the Peace of Phoenice (see Broughton, *MRR* 1.313).

in Asia Minor.¹²⁴ The *decemviri*'s discovery of this oracle was accompanied by encouraging news from an embassy that had recently returned from Delphi, reporting that Pythian Apollo had foretold a great victory for the Romans. In addition, P. Cornelius Scipio, reputed for his close communion with the gods, prophesied the end of the war and demanded Africa as his province. Because of these good tidings from divine sources, the Romans began planning and organizing the transportation of Magna Mater.¹²⁵ An embassy composed of five men who had held high public offices, including the consular M. Valerius Laevinus, visited the Pergamene King Attalus I in order to negotiate for the transfer of the goddess, who in the form of an aniconic meteorite was located in his realm.¹²⁶ After stopping at Delphi, the ambassadors were graciously received by Attalus, and with his blessings they procured the Black Stone, in which the Mother of the Gods resided. One of the entourage, M. Valerius Falto, rushed back to the city to relay the injunction from Pythian Apollo that the best man at Rome should be prepared to receive the deity hospitably in her new home.¹²⁷

The young and inexperienced P. Cornelius Scipio Nasica, nephew of the Scipio who would later conquer Hannibal on the battlefield at Zama, was chosen for this honor. His selection brings the political dimensions of the importation of Magna Mater into sharp relief. In 206, Q. Caecilius Metellus and L. Venturius Philo were the elected consuls, and they were assigned the task of opposing Hannibal in Lucania and Bruttium. Both men were undoubtedly supporters of Nasica's cousin, P. Cornelius Scipio, soon to be known as Africanus. John Briscoe even referred to their election as a "real resurgence of Scipionic control of the consulate."¹²⁸ Whether or not we want to go that far, the future Africanus would be elected consul for the following year, with P. Licinius Crassus as his colleague. In terms of politics and war strategy, there were several striking developments by the time of Scipio's consulate. Two of the most important breakthroughs on the geopolitical scene were

¹²⁴Borgeaud 2004: 57–59, is one of the few scholars to take the portent seriously as a motivational factor in the importation of Magna Mater. For Livy's account, see Levene 1993: 69–72, and literature cited there.

¹²⁵Liv. 29.10.4–8.

¹²⁶See Broughton, *MRR* 1.304 for sources. For the nature of the Black Stone as something that "had fallen from the sky," see App. *Hann.* 9.56; Hdn. 1.11.1–2.5; Amm. Marc. 22.9.5–7; cf. Arnob. *Ad nat.* 7.49; also Val. Max. 1.8.2: in 292, the god Aesculapius was brought to Rome from Epidaurus in the form of a serpent.

¹²⁷Liv. 29.11.1–3, and further references assembled by Gruen 1990a: 25n.100. Similarly, when Venus Erycina was brought from Sicily to Rome in the aftermath of the devastating setback at Trasimene, Q. Fabius Maximus, as the man holding the greatest power in Rome, was selected to receive her (Liv. 22.10.10). There has been scholarly disagreement as to whether the Black Stone came from Pessinus, as Livy states, directly from Pergamum, or from the Troad. See Gruen 1990a: 15–19 (cf. Bowden 2012: 254–55), for the latter alternative; Burton 1996 defends the Livian account; cf. Borgeaud 2004: 72–89. The solution is immaterial to our concerns and need not detain us.

¹²⁸Briscoe 1989: 73; see Broughton, *MRR* 1.298.

the end of the so-called First Macedonian War in Greece and the possibility of transferring the war to Africa in order to force a decisive battlefield confrontation with Carthage. Scipio was the main proponent of this policy. His consular colleague, although not assuredly a political ally, was also no competitor for the African command, since as Pontifex Maximus he was prohibited from service outside of Italy.

Back from his stunning successes in Spain, Scipio's popularity was at high crest at this time, but as consul he received a lukewarm response from the Senate, being assigned Sicily and then—as an option—Africa as his province, in the face of staunch opposition from the venerable Fabius Cunctator.¹²⁹ After bitter wrangling, Scipio was allowed to prepare for an invasion of Africa from his base in Sicily, but he was not allowed to recruit troops in Italy. In this context, the selection of his cousin, Scipio Nasica, as the best man (*vir optimus*), who would formally receive the Magna Mater into Rome, can be seen as political fence-mending, a public statement on the part of the elite proclaiming consensus and solidarity.¹³⁰ Such an interpretation is bolstered by the fact that Nasica had a female counterpart as head of the welcoming committee for Cybele: Claudia Quinta, a sister of the consul in 212, a young woman from a family that was not in alliance with, and indeed often in opposition to, the Cornelii Scipiones. As Gruen has put it, “The dual appointment took this development beyond the realm of partisan politics. It exemplified closing of the ranks, a show of unity in the leadership.”¹³¹

The actual reception of Magna Mater in early April was an elaborate affair. Our principal sources for it are Livy and an extended passage in Ovid's *Fasti*.¹³² According to Livy's account, the five-man commission sent out in order to procure the Great Mother from Attalus I proceeded in lavish style, with the same number of quinquereemes as there were principal ambassadors, and it stopped off at Delphi to make a consultation of Apollo on the way to Pergamum.¹³³ The Magna Mater arrived at Ostia with Scipio Nasica and “all of the matrons” eagerly waiting to receive her. Nasica boarded a boat to meet the deity in the open water, taking possession of her directly from two of her special Phrygian priests, a man and a woman, and he conveyed her by ship up the Tiber as far as the Almo tributary, where the statue was ritually bathed (*lavatio*). She then traveled by land to the Palatine, with the matrons passing

¹²⁹ See Broughton, *MRR* 1.301 for sources.

¹³⁰ For the claim of being a “most excellent man” among the *gens* of the Cornelii Scipiones, see the *elogium* of L. Cornelius Scipio, cos. 259, *optumo viro*: *ILLRP*, 310, with Broughton, *MRR* 1.206; Gruen 1990a: 25n.103. For the political capital Nasica later garnered as a result of this honor, see Pelikan Pittenger 2008: 187–95.

¹³¹ See Gruen 1990a: 21–27 (quotation from pg. 26), and 22n.78, for scholars who posited a political alliance between Scipio and Crassus.

¹³² Liv. 29.10.4–11.8, 14.5–14; O. *Fasti*. 4.247–348. Erskine 2001: 205–223 provides a good account, with a focus on the “Trojan” dimension of Magna Mater's importation into Rome.

¹³³ Liv. 29.11.4–6.

her to one another from hand to hand as the “entire city” joyously greeted her. Censers burning incense lined the route of the goddess’ procession to the city, and people prayed that she would willingly and propitiously enter Rome. The procession culminated with Cybele’s installation in the temple of Victory on the Palatine hill, as gifts were brought for the divine newcomer and the first games were held in her honor at Rome.¹³⁴

Cybele continued to be a focus of intense religious attention for well more than a decade following her arrival at Rome, and she would remain ensconced as part of the pantheon for later generations. Vergil has Anchises tell of her as the fortifier of cities. Ovid relays the story of her coming to Rome in the *Fasti*. Augustus boasted of having restored her temple on the Palatine. At a less rarified level, we see a fresco depicting a festival honoring Cybele on the store front of a shop on the *via dell’Abbondanza* at Pompeii.¹³⁵ Returning to our historical context, we may note that dramatic performances formed part of the celebration of the *Megalesia* in 191, when the temple of Mater Deum Magna Idaea was dedicated on the Palatine.¹³⁶ The goddess immediately took on a central role in the official religious life of the Republic, and her festival was a permanent fixture in the festive calendar. Ovid expounds on the primacy of Magna Mater, stating that the *Megalesia* are the first games of the year because Cybele, the Great Mother, gave birth to all of the other gods, and he embellishes Livy’s account of Claudia Quinta, adding a story of the goddess answering the maiden’s prayer, allowing the young virgin to restore her assailed reputation by having her free the ship which conveyed the Mother from being stuck in the Tiber’s muddy shallows.¹³⁷ The poet also provides a memorable dramatic expression of the principle of the accumulative, or accretive, civic polytheism underlying the introduction of the goddess to Rome, having Cybele admonish King Attalus by stating, “Rome is a worthy place, where every god may go.”¹³⁸

Scholars have adduced various motivations for the introduction of Cybele to Rome, and, as we have seen, prominent among them is the desire to shore up the allegiance of Attalus I of Pergamum in preparation for possible wars against two of the major Hellenistic monarchies. Yet this motive fails to

¹³⁴Liv. 29.14.10–14; on the Phrygian priesthood of Cybele, see Dion. Hal. *Rom. Ant.* 2.19.4.

¹³⁵Verg. *Aen.* 6.784–87, with Vermaseren 1977: 85–86; O. *Fast.* 4.247–348; Aug. *RG* 19; Pompeii: IX.7.1; Vermaseren 1977: 108–109, and plate 46; cf. Roller 1999: 263: “The impact of the cult of the Mother Goddess in Rome was real, vivid, and public from the very beginning. This cult was actively sought and openly encouraged by many segments of Roman society.” Erskine 2001: 212–213 summarizes the Augustan “Trojan” context.

¹³⁶On the *Megalesia*, see Bernstein 1998: 186–206; on the dramatic performances see Flower 1995: 175, and n.35; for Cybele’s temple on the Palatine, see Richardson 1992: 242–43. The *Megalesia* were first performed in 194 (Liv. 34.54.3–4), with the first performance of Plautus’ *Pseudolus* as a part of the inaugural celebrations in 191 (Didasc.).

¹³⁷O. *Fast.* 4.291–349, 359; cf. Sil. *Pun.* 17.1–47.

¹³⁸O. *Fast.* 4.270, *dignus Roma locus, quo deus omnis eat*.

account satisfactorily for the extravagances of the festivities at Rome, which would seem to have been excessive, if this had been their primary purpose. After all, although both Attalus and Rome shared concerns about the intentions of Philip and Antiochus, it was the Pergamene king who was more directly threatened by their activities and more in need of assistance against their encroachments, at least in the short term. Indeed, shortly after forming the “pact between the kings,” Philip would ravage Pergamene territory, though he found the city itself to be impregnable, and withdrawing from there, he traversed Lydia, in Seleucid control, beginning with the Seleucid city of Hierakome.¹³⁹ And it was Attalus who sent an embassy, along with delegations dispatched from Egypt, Athens, Rhodes, and Aetolia, to Rome in order to protest against Philip’s aggression in the autumn of 201. Only afterwards did Rome declare war against Philip and attempt to secure the neutrality of Antiochus.¹⁴⁰

An elite-instrumentalist interpretation, focusing on the city of Rome—the actual site of all the fanfare surrounding the introduction of the Magna Mater—is even less convincing.¹⁴¹ We might think that the elaborate preparations for the reception of the goddess in her new home were aimed at alleviating the concerns of a populace gripped by fear of the looming conflicts with the great Hellenistic monarchs. But it was a difficult task for the consul for 200, P. Sulpicius Galba, to secure a vote for war against Philip from the centuriate assembly. As Livy tells the story, the commons were worn out by war, and they were goaded on in their resistance to the consul’s proposal by the tribune Q. Baebius, who was thereafter censured by the Senate. The senators urged Galba to reconvene the assembly after it had rejected war, chastise the People for their lack of energy, and remind them of the dangers and the disgrace of postponing the inevitable conflict with Philip. Only after an impassioned speech at a *contio* did he succeed in convincing the

¹³⁹ Polyb. 16.1.1–9, cf. App. *Mac.* 4; Diod. 28.5. For Philip’s activities in the eastern Aegean and Asia Minor, see Ma 1999: 74–82, and literature cited there.

¹⁴⁰ Polyb. 16.24.3 (general statement on embassies). On the particular embassies, see Liv. 31.9.1–5; Just. *Epit.* 30.2.8 (Egypt, with Justin having the ambassadors from Alexandria mentioning the pact); Liv. 31.1.9–10; 31.5.5–8; App. *Mac.* 4 (Athens); Liv. 31.2.1; Just. *Epit.* 30.3.5; App. *Mac.* 4 (Rhodes, with Appian explicitly stating that the Rhodians reported a rumor to the Senate about the existence of the pact); App. *Mac.* 4 (Aetolia). For the war declaration, see Liv. 31.5.2–3, 6.1–8.2; and for the embassy to Antiochus, Polyb. 16.27.5. See Gruen 1984: 382–98 for the Roman perspective, although he downplays the importance of the “pact between the kings.”

¹⁴¹ Interestingly, according to Aulus Gellius (*NA* 2.24.2; 18.2.11), the Megalesian festival was identified with the nobility. He states that the nobles (*principes civitatis*) exchanged hospitality (*mutitarent*) at that festival. By contrast the non-elites did this at the *Cerialia* (on which, see Bernstein 1998: 163–71). On this opposition, *Megalesia* as a preserve of elites and *Cerialia* as a festival of non-elites, see Spaeth 1996: 92–97, and literature cited there; cf. Vermaseren 1977: 124–25. We can contrast this tradition with the social-egalitarian nature of the Bacchanals as a significant difference between the two cults, but the emotional and ecstatic features of their worship, as I shall argue below, are better attested and seem to have been much more salient in elite perceptions.

assembly to overturn its prior decision and vote for war.¹⁴² As for Antiochus, at the time of the arrival of Cybele in Rome, he would hardly have been in the consciousness of the urban nonelites. Indeed, at this time the senators themselves could have known little about his actual military capabilities and future intentions. But they alone would have been privy to the agreement between Philip and Antiochus in 203/202, which they probably only learned about from the Greek embassies to the Senate in 201/200.¹⁴³ And, in general terms, we can reiterate the basic point about accumulative civic polytheism—the addition of yet another strange new deity to the republican pantheon—as a dubious instrument for the control of nonelites in the city of Rome.

Let us turn our attention to the so-called Bacchanalian conspiracy of 186, perhaps the most stunning religious action taken by the authorities in the entire history of the Republic.¹⁴⁴ Most scholars not only agree that the god Bacchus or Liber in Italy was to some degree assimilated to the Greek deity Dionysus, but also that his worship in Italy was of long standing before this notorious pogrom by the establishment.¹⁴⁵ And much like the cult of Magna Mater, Dionysian religion was well-established in Italy and throughout the provinces in later times, under the rule of the emperors.¹⁴⁶ By the early second century, the god was familiar at Rome, as is evident in the numerous references to Bacchic worship in the plays of Plautus.¹⁴⁷ Livy is our principal testimony for the repression in 186.¹⁴⁸ According to his account, the consuls were diverted from foreign affairs in order to deal with an internal conspiracy (*ad intestinae coniurationis vindicatam*). A certain Greek came from Etruria, a sacrificial priest and prophet (*sacrificulus et vates*), who conducted secret rites by night. At some point the mysteries, which had been exclusively celebrated by female worshippers, were opened up to men, and the period for initiation was expanded from three days per year to five days each month, the innovation of a Campanian priestess named Paculla Annia.¹⁴⁹ The initiatory rites soon gained many adherents, both men and women, whose minds

¹⁴²Liv. 31.6.1–8.2, with Broughton, *MRR* 1.323.

¹⁴³Polyb. 14.1a.4, arguing that during the 144th Olympiad (204–201), the intentions of the kings became common gossip known to nearly everyone, is clearly rhetorical excess. Galba's contional speech in Livy (31.7.2–15), we may note, which was designed to stir up the People, makes no mention of Antiochus or any agreement between the kings. At the time of Flamininus' Isthmian Proclamation in 196, Polybius (18.45.11–12; cf. 18.48.4–5) says that Antiochus' intentions of meddling in Europe were well known for some time (παλαιοί).

¹⁴⁴See the exhaustive analysis in Pailler 1988; cf. Gruen 1990a: 34–78.

¹⁴⁵See, for example, the comments of Forsythe 2005: 316–317, on the late fourth-century Ficoroni Cista from Praeneste, the lid of which is adorned with a sculpture of Dionysius flanked by two satyrs.

¹⁴⁶For Dionysus-Bacchus-Liber's flourishing during the early Principate and High Empire, see the survey by Bruhl 1953: 163–248.

¹⁴⁷Bruhl 1953: 111–13, assembles references to Bacchants in Plautus' plays.

¹⁴⁸Liv. 39.8.3–19.7. For Livy's displacement of the prodigy list in the year of the Bacchanalia and its literary effect, see Levene 1993: 93–95.

¹⁴⁹Liv. 39.13.8–9.

were not only affected by the religious observances of the cult, but also by lewdness, drinking, and feasting. Bacchic orgies saw the dissolution of proper societal boundaries, between male and female, young and old, who engaged in promiscuous debauchery under the cover of religion. In addition, forged seals and wills, perjured witnesses, poisonings, murders, and other forms of violence, all emanated from the cult. Lechery and murder proceeded under the concealment of wild howlings and the din of crashing drums and cymbals.

Livy purports to reproduce in full the consul's speech against the Bacchanals before the People.¹⁵⁰ Postumius began by distinguishing the proper, ancestral gods of the People from strange and foreign ones, which would induce corrupted minds to partake of every form of rabid lust and senseless crime. He warned of the heinousness of the ritual practices and the alarming growth in the number of adherents all over Italy and especially within the city. They consisted for the most part of women and effeminate men, numbed by wakefulness, wine, and the clamor and shrieking of the rites. As such they might not seem to pose much of a threat, but their number was growing by the day, they were gathering by night, and worst of all, this form of worship was destroying the military capability of the young men who joined its ranks. Soon, the consul stressed, what was a matter of private debauchery would become a revolutionary conspiracy against the Republic (*ad summam rem publicam*). Nothing is more pernicious, he warned, than crime and conspiracy parading under the cloak of religion. The consul dwelt upon the great efforts of the authorities in the past to stamp out false religion, forbidding the introduction of foreign gods, expelling *sacrificuli* and *vates* from the Forum, the circus, and the city, confiscating and burning books of prophecies, and disallowing every form of sacrifice except those that were performed in the proper Roman manner (*more Romano*). He concluded by informing the People of the measures that had been taken against the Bacchantes by decree of the Senate, imploring each individual to assist in these efforts by carrying out faithfully whatever duty or post might be assigned to him.

The consul's speech highlights what Livy tells us in his narrative, with the additional history lesson on how the authorities had always policed illegitimate religious practices at Rome. This is certainly dramatic embellishment.¹⁵¹ Livy says some 7,000 people were involved in the "conspiracy" (*coniuratio*).¹⁵²

¹⁵⁰Liv. 39.15.2–16.13.

¹⁵¹Aside from the attempt of the religious authorities to curb unofficial rites in 213 (see below), at a tense time in the Hannibalic War, when the urban praetor confiscated religious writings and banned foreign ritual sacrifices in public places (Liv. 25.1.6–12), the bizarre story of the burning of the "Books of Numa" in 181 (Liv. 40.29.12 and sources assembled by Pailler 1988: 623n.1, with the discussion at 623–67; cf. Gruen 1990a: 163–70); and a public action of dubious historicity against foreign rites in 428 (Liv. 4.30.9–11), there are no other occasions of the authorities trying to suppress foreign cults at Rome, contrary to Postumius' assertion that such vigilance and repression were routinely practiced throughout the history of the Republic (Liv. 39.16.8–9).

¹⁵²Liv. 39.17. 6.

According to his account, many tried to escape from the city; some committed suicide. The ringleaders of the movement, high priests and founders of the cult—the plebeians Marcus and Gaius Atinius, the Faliscan Lucius Opicernius, and the Campanian Minius Cerrinius—were brought before the consuls to stand trial. The consuls then went on to prosecute those who fled from the city, holding investigations and trials throughout the Italian village districts (*citra fora*). Any initiate who had yet to commit any crimes was incarcerated; those who had already debauched themselves or committed murder, as well as those who had given false witness, forged seals, or tampered with wills, suffered capital punishment. Livy states that more were executed than were imprisoned. The consuls were entrusted with destroying all forms of Dionysian worship, both in Rome itself and throughout Italy, except in those cases where there was an ancient altar or consecrated image. Subsequently, the worship of Bacchus was to be strictly monitored: petitions for traditional worship of the god must be brought before the *praetor urbanus*, who would relay the matter to the Senate with a quorum of 100. In the event that permission was granted, no more than five could take part in the actual rites, and there should be neither a common treasury nor any master of sacrifices or priest.¹⁵³

A second decree of the Senate was passed on the motion of the other consul, Q. Marcius Philippus. It enjoined that, upon the return of Postumius, who was conducting investigations about the cult outside of Rome, the matter concerning those who had provided information about the conspiracy should be taken up in a subsequent senate meeting. As a result of that session, Publius Aebutius and Hispala Faecenia were handsomely rewarded for their services to the state.¹⁵⁴ Such is the conclusion of Livy's story. A famous Latin inscription discovered in 1640 at Tiriolo in Bruttium, known as the *SC de Bacchanalibus*, gives additional testimony of the Senate's resolutions.¹⁵⁵ The text appears to be a transcription by a local official in the *ager Teuranus* of the consul's instructions based on a senatorial decree.¹⁵⁶ In its essentials the epigraphic text corroborates Livy's account.¹⁵⁷ It is addressed to the *foederati*, and it bans all Bacchic rites except those brought to the urban praetor and

¹⁵³Liv. 39.18.5–9, *ne quis magister sacrorum aut sacerdos esset*; for the cult's organizational structures and its solidarity, see Gallini 1970: 53–96.

¹⁵⁴Liv. 39.19.1–7; for Hispala's grants of *gentis enuptio* and *tutoris optio*, see Smith 2006: 31–32.

¹⁵⁵*CIL* 12.581; *ILS* 18; *ILLRP* 511, with Pailler 1988: 21–60, 151–93, esp. the charts juxtaposing Livy's text and the inscription from Tiriolo at 179–80. See Ernout 1973: 58–68, for Latin text and commentary (in French); Gordon 1983: 83–85; and Lewis and Reinhold 1990: 506–507; BNP 2.290–91 for English translations.

¹⁵⁶On the region of the *ager Teuranus*, see Strabo 6.1.3 (C 254).

¹⁵⁷For verbal parallels between Livy's account and the inscription, see Briscoe 2003, who convincingly argues against the idea that Livy's narrative derives from the history of A. Postumius Albinus, consul in 151 and relative of Sp. Postumius Albinus, consul of 186, via Polybius; rather Livy used a source written in Latin. On Albinus' career and his history, see Cornell, *FRH* 1.185–90, and for the fragments, Cornell, *FRH* 2.124–33.

sanctioned by the Senate in a session with at least 100 members present. It stipulates that no man can serve as priest of the cult and there can be no administrative superstructure for the rites; common treasuries are prohibited, and devotees are forbidden to exchange oaths, vows, pledges, or promises; worshippers can number no more than two men and three women—thus adding supplementary detail to Livy's narrative. The inscription directs the publication of the decree on bronze tablets, specifies the time period for the display of the public proclamation, stresses that violators of the edict will suffer capital punishment, and orders the demolition of the Bacchanalian places of worship. The evidence of Livy and the epigraphic text from Tiriolo make it clear that this was a most serious undertaking.

The events of 186 have perplexed students of Roman civilization and defied attempts to provide comprehensive and satisfying historical analysis and explanation, raising many unresolved scholarly controversies. To what degree should we think that Livy has embellished or even fabricated much of his story about the Bacchanals?¹⁵⁸ Since the Bacchanals met in the *lucus Stimulae*, a grove nearby the Aventine hill—symbolic site of plebeian resistance—should we think of the Bacchanalian cult as an organized political conspiracy of nonelites against the established order?¹⁵⁹ To what extent did authorities perceive the Bacchanals as a threat to traditional religion and the maintenance of the *pax deorum*? Where did the offensive elements of the cult come from: Campania, Etruria, or southern Italy? Who exactly was the persecuted god, in the first place? Should we see him as the Greek god Dionysus by another name, or rather emphasize the native, Italic elements of Bacchus or Liber?¹⁶⁰ Closely connected with that question is the idea that the authorities' repression of the cult was somehow an official stance against Hellenizing influences at Rome. And if the pogrom was an instantiation of anti-Hellenism, how are we to interpret that broader phenomenon: genuine antipathy or politico-cultural posturing and demonstration? Was the problem of the Bacchanals really more about the Senate's policing and controlling the mass movements of people, in particular the dislocations brought

¹⁵⁸For this view, see Cova 1974 (*la tinta novellistica . . . romanzo sentimentale . . . la mescolanza di storia e fantasia . . . coesistenza di romanzo a storia*); and assembled references at Gruen 1990a: 62n.131, for other adherents to this interpretation.

¹⁵⁹Liv. 39.12.4–5, with Bruhl 1953: 88–89. Gallini 1970 studies the movement along with slave revolts through the lens of class struggle and charismatic leadership, presenting the Bacchanals as an amalgamation of subalterns aligned against the Roman establishment (see 16–17 on the *lucus Stimulae*). The Bacchanalian cult had a common treasury and established cult centers, as the Tiriolo inscription makes clear: *ILLRP* 511, lines 3, 11, 13–14, with Gruen 1990a: 54–56, who rightly points out that the Bacchanalian cells as an organized religious association standing outside of the state probably had a long history in Italy by 186, thereby vitiating this explanation for the authorities' behavior at that time. For a nuanced interpretation of the event, stressing its communal, unifying, and symbolic aspects, see Linke 2000, esp. 269–73 and 293–94.

¹⁶⁰On these questions, though dated and not above contestation on individual points, Bruhl 1953 (esp. 13–45), remains indispensable.

about by the final phases of the Second Punic War, and asserting its authority throughout the Italian peninsula, rather than about extinguishing the proselytizing of a dangerous foreign creed?¹⁶¹ Does the action primarily indicate a new phase in the development of imperialism, with the authorities encroaching in a novel way upon the autonomy of nominally independent Italian allies, rather than a religious persecution?¹⁶²

These and other issues concerning the Bacchanalian affair have for long bedeviled scholars, but for our purposes a more restricted set of problems demands attention. If this was one way in which the ruling aristocracy could control nonelites—through a brutalizing suppression of religious practices—we can ask several questions. Why was the action taken so suddenly? Why was the repression so savage?¹⁶³ Why was the Bacchanalian cult not tamed and incorporated, as in the case of the Magna Mater cult, and assimilated by the regular processes of accumulative civic polytheism? Why did the pogrom run up and down Italy, interfering in the internal business of non-Roman Italian communities? Why does the action have no real precedents?¹⁶⁴ Why did the persecution flare up again in 184 and 181, only to fizzle out, as far as we can tell, after 180?¹⁶⁵ Why do we not find any similar action on the part of the authorities in all of the subsequent history of the Republic?

Such questions are likely to remain sources of unresolved scholarly debate, but we can at least say that contrasting and comparing the suppression of the Bacchanals with the incorporation of Magna Mater creates irremediable problems for the idea of an official religious policy in our period, since no single interpretation can explain both episodes. Certainly there were some similarities in the responses to the two cults: in both cases the Senate regulated which people could serve as priests, the places where worship could be conducted, and the manner in which cult rituals could be performed.¹⁶⁶ But it is the similarity in the nature of the cults that underscores the randomness of the Roman actions regarding them. The cult of Magna Mater was in no way less exotic, less foreign, or less objectionable in Roman eyes than the Bacchanals. Cicero tells us that the *Megalesia* were the only games at Rome not called by a Latin name, and Servius states that her hymns were

¹⁶¹ See McDonald 1944: 26–33; Toynbee 1965: 2.387–400; Dumézil (1966) 1996: 2.515–21; Fronda 2010: 321–22.

¹⁶² For the mechanisms of intervention against the Bacchanals in the various types of settlement in Italy—*municipia*, *coloniae*, *fora*, *conciliabula*, *vici*—see Bispham 2007: 91–95, 116–23.

¹⁶³ Cf. Liv. 39.18.6: convicted women were handed over to their families for capital punishment by relatives or whomever had legal authority over them, but if there was no suitable person to perform this act, it was undertaken by the state authorities (*in publico animadvertetur*).

¹⁶⁴ We can point to the events of 213, when worshippers were prohibited from sacrificing according to new and foreign practices (Liv. 25.1.6–12), but this action was much smaller in scope and briefer in duration than the Bacchanalian affair. Later, in 181, a senatorial edict and consular decree stipulated a three-day *supplicatio* and festival throughout Italy (Liv. 40.19.5, *per totam Italiam*).

¹⁶⁵ For the campaigns against the Bacchanals in 184 and 181, see Liv. 39.41.6–7; 40.19.9–10.

¹⁶⁶ Cf. Orlin 2007: 64.

always sung in Greek, never in Latin.¹⁶⁷ The unsavory traits of Cybele's worship, with its flute-playing, begging eunuch priests, the *Galli*, still aroused contempt and revulsion in the late republican and Augustan ages. Dionysius of Halicarnassus relays that the praetors at Rome performed sacrifices and conducted games annually in the goddess' honor, but that no citizen could walk in the goddess' procession, with its din of timbrels and flutes, and its priests in parti-colored robes, begging alms, escorted by flute-players, and worshipping the deity according to Phrygian rites.¹⁶⁸

Plutarch reports an interesting story in respect to Cybele's worship at Rome in recounting Marius' rise to power. In 102, an individual our sources simply call the Battakes (a priestly title of the Anatolian mother goddess), arrived at Rome from Pessinus, declaring that Cybele foretold a great Roman military triumph. The Senate received the good tidings and later decreed a temple for the goddess in commemoration of the victories over the Cimbri and Teutones. But when the Battakes attempted to address the People, the tribune Aulus Pompeius assaulted him with insults, driving him from the rostra. Soon afterwards Pompeius fell ill with fever and died, thus revealing the enormous power of the Mother Goddess.¹⁶⁹ The story leaves no doubt that in Roman conceptions, there were repugnant aspects of Cybele, and especially of her begging priests, or *mētragyrtai*, for both Greeks and Romans. Moreover, Julius Obsequens reports that around this time a slave of Q. Servilius Caepio was sold abroad and forbidden ever to return to Rome because he had been castrated as a devotee of Magna Mater. According to Valerius Maximus, in 77 a certain Genucius, a eunuch priest of the goddess, was banned from an inheritance by the consul, Mam. Aemilius Lepidus, on the grounds that he was neither man nor woman and his very presence and voice defiled the magistrates' tribunals.¹⁷⁰ From an elite perspective, therefore, in terms of disagreeable and repellent features of emotional and ecstatic religious cults, there was little to separate Bacchants from worshippers of Magna Mater, a suggestion nicely evoked archaeologically by the discovery of three terracotta heads of Dionysus found buried under the foundations of the second temple of Magna Mater on the Palatine hill.¹⁷¹

¹⁶⁷ Cic. *Har. Resp.* 12.24; Serv. *ad Georg.* 2.394.

¹⁶⁸ Dion. Hal. *Rom. Ant.* 2.19.4–5; for the *mētragyrtai*, or begging priests of Cybele, cf. Plut. *Mar.* 17.5–6. For Greek condemnations, see Arist. *Rhet.* 1405a (ἀτιμος); Athen. 12.541c; Plut. *Cleom.* 36.4 (Cleomenes' slander against Ptolemy Philopator), with Borgeaud 2004: 35–37; for further negative reactions to the cult, see Cat. 63; Lucret. 2.589–660; Apul. *Met.* 8.24–37, with Vermaseren 1977: 96–125. Beard 1994 studies the ways in which the foreign elements of the cult worked to define Roman identity in imperial times.

¹⁶⁹ Plut. *Mar.* 17.5–6; cf. Diod. 36.13.1–3, with Bowden 2012; cf. Vermaseren 1977: 99.

¹⁷⁰ Obsequens 44a; Val. Max. 7.7.6.

¹⁷¹ See Roller 1999: 275 and n.59; cf. 141: “unstructured contact with the divine,” an apt characterization of the ecstatic worship of both Cybele and Dionysus/Bacchus; and 1–24 for an excellent overview of the persistence of condemnatory views of Cybele, based on Orientalist, racist, and sexist presumptions, in modern scholarship. On the similar features of the two cults, cf. Gallini 1970: 60 (*ruoli femminili . . . inversione del ruolo sessuale*).

The Bacchanalian affair, then, still evades satisfactory historical explanation. In our search for Roman motivations, we can posit the uncertainties of the ongoing wars against the Ligurians in Cisalpine Gaul; the attempt to shore up control of northern Italy in the 180s by establishing a series of citizen colonies and a network of roads in the area; or the closing of the ranks of the nobility as a corporate body in order to demonstrate its collective control by cutting the achievements of lustrous individual members of the elite—men such as M. Fulvius Nobilior, Cn. Manlius Vulso, and P. and L. Scipio—down to size.¹⁷² All of these activities can be seen as demonstrations of the Senate's authority: over Rome's magistrates, over competitors to the north, over all Italy. Such Procrustean explanations, however, attempt to understand the Bacchanalia in contextual terms by appeal to consistent policy on the part of the governing elite. Perhaps they fail to satisfy because these discrete actions taken together have no coherence.

Another parallel between the authorities' reactions to the Magna Mater cult and the Bacchanals, at least in Livy's recounting of the events, is the element of fear: strange portents, and in particular showers of stones, in the story leading up to the Great Mother's advent; regarding the Bacchanalia, panic first gripping the senators, later transmitted by them to the People.¹⁷³ In the case of the Bacchanals, we may never be able to account adequately for the deepest well-springs of this fear, but we can hazard some suggestions. Clearly desire for control was at the heart of both the importation of Cybele and the rejection of Bacchus. In the former case, the goddess had been officially introduced to Rome by the Senate, on its own terms. Concerning the Bacchanalia, which arose to new prominence independently of senatorial authorization, what is most salient in Livy's account is the Senate's (temporary) loss of control.¹⁷⁴ Particularly threatening in the senators' view were the perceived numbers of adherents and the mixing up of social orders and age groups in observance of the putatively orgiastic gatherings.

In 213, at a tense time during the Hannibalic War and before the tide had turned in the Romans' favor, superstitious fears, according to Livy, gripped the city and drove people away from traditional forms of worship, as wayward priests and prophets had seized men's minds in the overcrowded city. The aediles and *triumviri capitales* failed to curtail illicit rites carried out in public places, and they narrowly escaped with their lives while trying to drive the fanatical crowds out of the Forum. In the end, the urban praetor M. Aemilius Lepidus read out a decree in the assembly and issued an edict that foreign

¹⁷²See Toynbee 1965: 2.273–75; Gruen 1990a: 66 (Ligurian wars); Gruen 1990a: 66–69 (consolidation of northern Italy); Gruen 1990a: 69–72 (Senate's assertion of collective control of its individual members).

¹⁷³Liv. 29.10.4–8 (*repens religio invaserat*); 39.14.4 (*patres pavor ingens cepit*); 39.17.4 (*terror magnus urbe tota fuit*).

¹⁷⁴See, explicitly on this point, Bruhl 1953: 84.

religious writings should be confiscated and that no one should conduct sacrifices according to new and alien prescriptions (*novo aut externo ritu*).¹⁷⁵ Like the affair of the Bacchanals, this was an attempt to demonstrate senatorial control and restore a modicum of public peace, but it also suggests that the government held a deep-seated conviction that the *pax deorum* must be recreated by orthopraxy through proper, official channels. The two motivations—policing Rome in order to demonstrate the Senate's authority and maintain political and social order; monopolizing legitimate means for intercessionary relations between humans and the divine—were not mutually exclusive.

In the cases of the Magna Mater cult and the Bacchanalia, therefore, elite control of public religious practices was the key issue. Both cults were in a sense tamed by the Senate. Regarding Cybele, citizens were prohibited from the more exotic and unsettling features of worship, and sources as late as Dionysius of Halicarnassus and Plutarch report ongoing elite prejudice and disdain for the cult's priests. As for the Bacchanalia, the Senate exerted its power over an enfeebled religion, as its adherents after the repression would encounter administrative obstacles to their meetings and worship, which henceforth must be mediated through official government channels: a petition to the urban praetor and subsequent approval by the Senate.¹⁷⁶ Both cults became subordinated to senatorial authority, and thus no longer threats to the proper functioning of the state religion and the maintenance of the *pax deorum*. But juxtaposition of these two events—the official acceptance of the bizarre cult of Cybele in 204; the persecution of the Bacchanalian cult in 186—suggests random, inconsistent, and reactionary impulses, driven by fear and anxiety, rather than any cool, calculating, and far-sighted religious policy on the part of elites.¹⁷⁷

III. HUMAN SACRIFICE IN THE ROMAN REPUBLIC

Human sacrifice in the earliest Italian communities cannot be definitively proved, but there are suggestions of it in ancient sources and imaginative reconstructions based on them. Most famous among modern scholars is undoubtedly the pioneering work of comparative mythography and folklore by the Scottish classicist and commentator on Pausanias, Sir James G. Frazer, who was inspired by J.M.W. Turner's 1834 mythological landscape. In *The Golden Bough*, Frazer suggested that the *rex Nemorensis*, king of the wooded grove of Lake Nemi (about twenty miles south of Rome), was an exemplar of an archetypal, universal myth in which a sacred king must be periodically

¹⁷⁵Liv. 25.1.6–12, 12.3, with Gallini 1970: 28–30. For the *triumviri capitales* and policing the city, see Nippel 1995: 22–30; for the problem of violence and its suppression, see Lintott (1968) 1999.

¹⁷⁶See *CIL* 12.581; *ILS* 18; *ILLRP* 511, lines 4–6, 8–9, 18–22; Liv. 39.18.8–9.

¹⁷⁷Cf. Bruhl 1953: 111, referring to “une véritable psychose” among the elite in the aftermath of the Bacchanalian affair.

sacrificed in order to ensure prosperity and fertility. According to his imaginative account, the king of the woodland of Nemi was a slave who had killed his predecessor. This god-king of servile origins would guard a sacred tree, with sword in hand ever-ready to dispatch anyone who might dare to contest his sovereignty of the forest by plucking the golden bough and thereby challenging him to mortal combat, until one day he in turn would succumb to and be replaced by a stronger man. The story of the *rex Nemorensis* launches Frazer's monumental study and introduces the major theme of the work: the slow transition from a brutish, vapid, and irrational primitivism, capable of ritual human sacrifice, a dumb realm of magic and superstition, to the bright light of science and reason.¹⁷⁸

The dramatic story of the "King of the Wood" was for the most part the product of Frazer's fertile imagination, but it was built on ancient testimony.¹⁷⁹ There are other misty recollections in our sources of a time when human sacrifice may have been practiced in Roman society. For example, the sacrifice of female goats to the obscure god Vediovis, who seems to have been connected in some way to Jupiter and perhaps also to Apollo, was performed *humano ritu*, which just might indicate that the goats stood in place of an original human sacrifice.¹⁸⁰ The better attested but equally opaque rites of the *Argei* may point in the same direction. A mysterious ritual, which Plutarch called the greatest rite of purification, was performed on 14 May, when the pontiffs, in the presence of the praetors, Vestal Virgins, and eminent citizens, threw twenty-seven (or thirty) wicker effigies in the likeness of men (*argei*) into the Tiber.¹⁸¹ Processions were conducted in connection with this act on the 16th and 17th of the month.¹⁸² The ritual was practiced *pro sacellis*, rather than *pro populo*; that is, it was not performed under the gaze of the general populace. The rites of the *Argei* may suggest human sacrifice or ritualized murder in Rome's remotest antiquity.¹⁸³ According to Dionysius of Halicarnassus, primordial Romans practiced human sacrifice in honor of Saturn, as did Carthaginians while their city was yet standing, and as Gauls still did in his own day. In his view, it was Hercules who turned the early Romans away from such a barbarous practice, substituting the effigies of men in lieu of living victims.¹⁸⁴

¹⁷⁸ Cf. the trenchant comments on Frazer's comparative method at Bloch 1967: 46–47.

¹⁷⁹ See, primarily, Strabo 5.3.12 (C 239–40); Paus. 2.27.4; O. *Fast.* 3.261–72; cf. Suet. *Calig.* 35.3.

¹⁸⁰ Gell. *NA* 5.12, with Wissowa, *RK*² 236–37, and 237n.1. There were two temples for Vediovis in Rome, one on the Tiber island and one on the Capitoline, on which see Richardson 1992: 406. An inscription dated ca. 100 from Bovillae reveals the Iulii worshipping this deity: *CIL* I² 807; *ILS* 2988; *ILLRP* 270, with Smith 2006: 44; cf. Várhelyi 2010: 74–75 and n.59.

¹⁸¹ Plut. *Mor.* 272b, 285a; Ennius *ap.* Varro, *Ling.* 7.44, with Kyle 2001: 215–16, and literature cited there. Festus (Paul.) 14 Lindsay s.v. *Argeos*, says that the Vestals threw the human effigies into the Tiber annually.

¹⁸² O. *Fast.* 3.791–92.

¹⁸³ Varro, *Ling.* 5.45, uses the word *argei* to describe the twenty-seven *sacraria* themselves, from which the effigies came (see following note).

¹⁸⁴ Dion. Hal. *Rom. Ant.* 1.38.3–4 (thirty human effigies); Varro, *Ling.* 7.44; cf. 5.45 (twenty-seven human effigies, corresponding to twenty-seven *sacraria* distributed throughout the four regions of the

Several attested ritual practices in historical times can qualify as forms of Roman human sacrifice: voluntary *devotiones* on the battlefield on the part of field-commanders, live interment of unchaste Vestals, public execution of war captives during triumphal celebrations, and the surrender of C. Hostilius Mancinus in 136 as a would-be scapegoat to the Numantines.¹⁸⁵ Early in the third century, the Romans may have conducted a human sacrifice before the battle at Sentinum (in addition to the famous *devotio* of the consul P. Decius Mus during the actual battle). Zonaras reports many dire prodigies at Rome before the decisive battle, stating that the people were terrified by the gloomy prognostications of the diviners. One of the prescribed remedies may have been a human sacrifice. In any event, Zonaras writes of many blood sacrifices at Rome at this time.¹⁸⁶ To this we may add the bizarre story from the Late Republic, preserved by Dio Cassius, that as late as 46, during his spectacular quadruple triumph, Caesar quelled a riot among his soldiers by seizing several men for exemplary punishment, handing two of them over to the pontiffs to be executed as a sort of ritual sacrifice. Dio says that he cannot fully understand the reason for this, since there was no prescription to this effect from the Sibylline Books, nor from any other sort of oracle. At any rate, he goes on, the two men were sacrificed in the Field of Mars by the *pontifices* and the *flamen Martialis*, and their severed heads were set up near the Regia for public display.¹⁸⁷

For Frazer the practice of human sacrifice was a custom that “savours of a barbarous age,” and on this point ancient Roman and Greek writers concurred, usually attributing the practice to various foreign, “barbarian” peoples. Human sacrifice occurs frequently in the pages of Herodotus, being allegedly practiced, for example, by Thracians, Getae, northern neighbors of the Krestonians, Massagetae, Persians, and Scythians.¹⁸⁸ We have seen that Dionysius of Halicarnassus alleged that the Carthaginians practiced human sacrifice as long as their city stood, and he maintained that the Gauls continued to do so in his own time.¹⁸⁹ In his lost work on the Etruscans, Theophrastus stated that Gelon forced the Carthaginians to give up human sacrifice, but according to Diodorus they revived the practice in 310.¹⁹⁰ Herodotus maintained that the

city); Liv. 1.21.5 (*argei* a foundation of Numa); O. *Fast.* 3.791–92; 5.622–60; Plut. *Mor.* 272b; Macrobi. *Sat.* 1.11.47; Lactant. *Inst.* 1.21.6–8 (Hercules substitutes effigies for men), with Dumézil (1966) 1996: 2.448–49; Smith 2006: 356–62, esp. 356–58.

¹⁸⁵For further attestations of Roman offenders handed over to enemies in order to avoid noxal liability, see Rich 2013: 560–61; cf. Rich 2011: 195–99.

¹⁸⁶Zonar. 8.1, with Wiseman 1995: 106–125; Forsythe 2005: 331–34.

¹⁸⁷Dio 43.24.4, with Rüpke 1993, esp. 127–28.

¹⁸⁸Hdt. 9.119.1 (Thracians); 4.94.1–3 (Getae); 5.5 (Krestonian neighbors); 1.216.2–3 (Massagetae); 7.114.1–2, 180 (Persians); 4.62.3, 71.4–72.5 (Scythians).

¹⁸⁹For human sacrifice among the Gauls, see further Diod. 5.31.3–4; cf. 5.32.3–6; Strabo 4.4.5 (C 198); Cic. *Font.* 31, with Gruen 2011: 144; for the Carthaginians, see Miles 2011: 68–73, and literature cited there; cf. Hoyos 2003: 27 and n.9.

¹⁹⁰For Theophrastus’ statement, see Plut. *Mor.* 175a; Diod. 20.14, with my commentary, “Timaiois,” *BNJ* 566 F 20.

Etruscans themselves, or at least the people of Etruscan Caere, also sacrificed human beings. He states that war captives from the naval battle against the Phokaiaians were sacrificed. Livy records that the Etruscan Tarquinienses slew 307 Roman war captives in 359/58.¹⁹¹ According to Tacitus' *Germania*, Germanic peoples were still offering up human beings as ritual sacrifices in the early second century C.E.¹⁹² The speech in the Senate of Cn. Manlius Vulso in 187 concerning his right to a triumphal celebration, as Livy represents it, states in no uncertain terms that in Roman eyes the sacrifice of human beings was a barbaric practice. He condemns Gauls for slaying human victims and sacrificing children and castigates Carthaginians for crucifying inept commanders.¹⁹³ The message is clear: human sacrifice is uncivilized, a heinous act of barbarous peoples, and not the Roman way.¹⁹⁴ Indeed, in the early first century the proconsul P. Licinius Crassus made a famous visit to the Cassiterides, or "Tin Islands," and allegedly commanded a people called the Bletonenses to desist from human sacrifice.¹⁹⁵

Despite the uniform condemnation of the practice in literary sources, we have three undeniable historical examples of state-sponsored human sacrifice at Rome in our period.¹⁹⁶ Each of these instances of human sacrifice—in 228, 216, and 114/13—was carried out on the recommendation of the Sibylline Books, and each coincided with the authorities' fears of imminent military catastrophe, and perhaps the total annihilation of the Republic. The first occurrence in 228 was in expiation of a portent: the Capitoline was struck by lightning near the temple of Apollo.¹⁹⁷ The Senate had in hand at that time

¹⁹¹Hdt. 1.166–67; Liv. 7.15.10. A first-century Etruscan alabaster ash urn in New York, carved in relief on the front of a casket, seems to show the recognition scene in Euripides' *Iphigenia Among the Taurians*, with Orestes and Pylades and two severed human heads in the background. This sculpture indicates Etruscan knowledge of the Greek tale, and the decapitated heads may refer to ritual practices of the Etruscans' Celtic neighbors as well as their own rituals of human sacrifice; see Bonfante 1984.

¹⁹²Tac. *Germ.* 39.1 (Semnones); cf. 9.1.

¹⁹³Liv. 38.47.12–13 (Gauls); 38.48.13–14 (Carthaginians); cf. Val. Max. 2.7 ext.1; Liv. *Per.* 17.

¹⁹⁴Even Greeks were not free of the charge. According to Plutarch (*Them.* 13.2–3; cf. *Arist.* 9.1–2), whose source was Phantias of Lesbos, Themistocles allowed the sacrifice of the sons of Sanduce, sister of Xerxes, and Artayktes, to Dionysus the Eater of Raw Flesh, on the advice of the seer Euphrantides (Hdt. 9.116.1–3, 119.2–120.4).

¹⁹⁵Plut. *Mor.* 283f; Strabo 3.5.11 (C 175–76); cf. Strabo 4.4.5 (C 198); Plin. *HN* 30.4.13. For human sacrifice as an integral part of Greek and Roman discourses on culture and humanity, civilization vs. barbarism, "good religion" vs. "bad religion," and the later Christian "retorsion" of these themes against paganism, see Rives 1995.

¹⁹⁶These three instances are probably what Frazer had in mind when he wrote that human sacrifice survived "into imperial times," though Plin. *HN* 28.12 reports that it had been practiced in his own generation. On the human sacrifices in 228, 216, and 114/13, see Eckstein 1982; cf. MacBain 1982: 60–65, erroneously dating the first sacrifice to 225, and arguing for Etruscan origins.

¹⁹⁷Plut. *Marc.* 3.3–4 (cf. Plut. *Mor.* 284a–c); Dio frg. 50; Zonar. 8.19; Tzetzes *ad Lycophr. Alex.* 602; cf. Oros. 4.13.3–4, with Eckstein 2012: 212–213. We know from Plutarch (*Marc.* 3.4), that this was the first securely attested human sacrifice at Rome, and that it was annually commemorated in November. Some scholars have posited human sacrifices at Rome earlier than 228; see assembled references at Champion 2004a: 62n.113.

an admonition about the portent from the Sibyl, and when it took place, the fathers immediately decreed the sacrifice: the live burial of two pairs, a Greek man and woman and a Gallic man and woman. According to Zonaras, the oracle stated that Greeks and Gauls would at some time control Rome, and the live burial in the Forum Boarium was thought to fulfill that destiny without putting Rome at risk, because in a sense the interred Greeks and Gauls would then possess a part of the city.¹⁹⁸ At this time, Rome was gripped by great fear, and the authorities levied a massive army to meet the expected invasion. A hostile tradition stated that the conflicts with the Gauls in the 220s were the result of the *lex Flaminia*, which settled citizens in the *ager Gallicus*, and thus provoked the Gallic tribes to war.¹⁹⁹ In any event, it is highly likely that the motivation for involvement on the northern frontier from 232 onwards was the fear of a massive Gallic assault on central Italy.²⁰⁰ Zonaras reports that in 231 or 230 the Senate prohibited trading in gold and silver with the Boii and other Cisalpine tribes because they feared the Gauls would use the money to hire mercenaries from beyond the Alps, and ambassadors were sent to the Cenomani and Veneti in order to secure their allegiance.²⁰¹ The long-anticipated invasion would finally come in 225, when the Romans were tactically outwitted by a Gallic thrust through Etruria, advancing towards Rome as far as Clusium.²⁰² The Romans turned back the great *tumultus* at the climactic battle at Telamon, vividly described by Polybius.²⁰³ The important point for our discussion is that fear of a looming military debacle was the motivational context for the human sacrifices in the Forum Boarium in 228.²⁰⁴

Thanks to Plutarch, we know more about the human sacrifice reported for the year 114/13. Helvia, a maiden daughter of a renowned equestrian family, was found dead, struck down by a lightning bolt. This was an extraordinary prodigy (but note the incidence of lightning striking the Capitoline before the human sacrifice of 228), and the Senate took extraordinary measures, summoning *haruspices* from Etruria to unravel the nature of a prominent woman's ominous death.²⁰⁵ The diviners indicated that there were serious problems among the college of the Vestal Virgins. A sexual scandal then erupted, involving three noble Vestals. The Pontifex Maximus, L. Caecilius

¹⁹⁸ Zonar. 8.19; cf. Dio frg. 50, with Wissowa, *RK*² 544.

¹⁹⁹ For sources, see Broughton, *MRR* 1.225.

²⁰⁰ Polyb. 2.22.8–9 (cf. 2.13.5), reports a constant state of alarm about securing the northern frontier against the Gauls ca. 230.

²⁰¹ Zonar. 8.19; see Polyb. 2.23.2–3; Strabo 5.1.9 (C 216), for the embassy.

²⁰² Polyb. 2.25.1–2. For Gallic threats before 218, see Eckstein 1987: 3–23.

²⁰³ Polyb. 2.27.1–31.10, with Walbank, *Comm.* 1.204–206; for Polybius' narration of the Gallic wars, see Champion 2004a: 114–17.

²⁰⁴ Cf. Dio 8.3, with Eckstein 2012: 216–217; after consultation of the Sibylline Books, ambassadors from Praeneste were walled up for live burial in the treasury of the aediles in 280, at the time of Pyrrhus' first invasion.

²⁰⁵ Plut. *Mor.* 284a; Obseq. 37; Oros. 5.15.20–21; Wissowa, *RK*² 543–44, for Etruscan *haruspices* summoned to Rome, especially in the case of portents involving lightning strikes.

Metellus Delmaticus, presided over the trial in 114, and one of the Vestals was convicted. But in 113 the tribune Sex. Peducaeus reopened the case, alleging a cover-up of guilty Vestals, and the consul of 127, L. Cassius Longinus Ravilla, was appointed as a special prosecutor. This time it was found that two other Vestals were guilty of sexual delinquency, and all three of those indicted, Aemilia, Licinia, and Marcia, were condemned, and presumably punished in the traditional manner.

This scandalous matter seems to have rocked the *patres*, and they ordered the *decemviri* to make another consultation of the Sibylline Books. As in 228, the Books demanded the live burial of a Greek man and woman and a Gallic man and woman.²⁰⁶ In an important article that has not received the scholarly recognition it deserves, Arthur M. Eckstein convincingly argued that the human sacrifice of 114/13 was not so much an act of expiation for the Vestals' misconduct, but rather an attempt to avoid an imminent danger. The condemnation of three Vestals, following hard on the heels of the bizarre death-by-lightning of Helvia, was an indication of a continuing disturbance of the *pax deorum*. The Books showed that the danger was forthcoming for the entire community (Plutarch is explicit on this point: ἀποτροπῆς ἕνεκα τοῦ ἐπιόντος), and that the paired sacrifices in the Forum Boarium could avert it. Eckstein suggests that the imminent danger—and the religious hysteria at Rome at this time—may have been the result of the major military defeat suffered by C. Porcius Cato at the hands of the Thracian tribe of the Scordisci in northern Macedonia in the summer of 114. The Thracians then penetrated as far as the Adriatic, and like the Gauls in 279, threatened the Delphic sanctuary. The senators feared a *tumultus* from the barbarians to the north.²⁰⁷

Cicero writes that when a state is at war prodigies arise over things that one would scarcely notice in peacetime.²⁰⁸ The Hannibalic War placed the Republic under unprecedented strains, and the portents that the Senate acknowledged and addressed at that time were legion.²⁰⁹ Livy notes that in winter 218, just as hostilities with Hannibal were beginning, many portents occurred, which often happens, he adds, when men's minds are turned towards religion.²¹⁰ Numerous prodigies arose during the first year of the war: an infant crying "triumph," an ox climbing to the third floor of a dwelling in the Forum Boarium and flinging itself down, phantom ships seen in the sky,

²⁰⁶ Plut. *Mor.* 284c; cf. Plin. *HN* 30.12, reporting a *senatus consultum* in 97 forbidding human sacrifice at Rome, proof for him that down until that time the Romans still practiced it.

²⁰⁷ Eckstein 1982: 73. Florus (1.39.4), likens Cato's defeat to a prodigy (*simile prodigio*). For the military disaster in summer 114, see sources at Broughton, *MRR* 1.533.

²⁰⁸ Cic. *Div.* 2.27.58–59; cf. 1.43.95; 2.55.114, with Rüpke 1990: 125–28.

²⁰⁹ Plut. *Fab.* 2.2–4.

²¹⁰ Liv. 21.62.1, *quod evenire solet motis semel in religionem animis*. In Livy's account, ritual neutralizations of prodigies and propitiation of the gods often take place just before commencing warfare (8.25.1–2; 24.44.7–9; 32.9.1–4; 42.2.3).

lightning striking the temple of Hope (*Spes*), a slain sacrificial animal stirring at Lanuvium, a raven lighting on the goddess's couch in Juno's temple, ghost-like apparitions in Amiternum, showers of stones in Picenum, shrinking of lots (*sortes*) at Caere, and a wolf running off with a sentry's sword in Gaul. A nine-days' sacrifice was proclaimed for the event in Picenum; the *Xviri* were ordered to consult the Sibylline Books for the rest. The *remedia* were thorough and involved the entire people. Rome was purified, victims were sacrificed to designated gods, a sum of forty pounds of gold was taken as a dedicatory offering to Juno at Lanuvium (Juno also received a bronze statue on the Aventine), a *lectisternium* was performed at Caere, supplication was offered to Fortuna on Mt. Algidus, another *lectisternium* was carried out at Rome for Iuventas, as was supplication for Hercules, and five major victims were sacrificed to the *genius* of the People. Finally, the praetor Gaius Atilius Serranus was ordered to make a vow to the gods "if the Republic should remain in its present state for an additional ten years."²¹¹

The year 217 was also filled with prodigies, not only at Rome, but throughout the *ager publicus* and the provinces. In these menacing times, the senators took further religious measures in response to the devastating military defeat at Trasimene.²¹² Fabius Maximus asserted that the military debacle was the result of the general Flaminius' religious derelictions.²¹³ In light of the numerous prodigies, the *Xviri* were again ordered to consult the Sibylline Books. They reported that a vow to Mars had been improperly performed and must be repeated; games must be vowed to Jupiter; as well as temples to Venus and Mens. Supplication and a *lectisternium* should then follow. Finally, offspring of all animals to be born in a given spring were vowed to the gods (*ver sacrum*), if the commonwealth of the Roman people should survive for an additional five years. The prayer stipulating this action asked pardon for religious ignorance and errors in ritual performance. This abnegation of religious expertise and certainty was openly stated before the People and the prayer in this form was approved by popular vote.²¹⁴ The vow was carried out twenty-one years later—several years after the final defeat of Hannibal at Zama—but an irregularity in its performance necessitated its repetition according to the judgment of the *pontifices* in the following year, 194.²¹⁵

Defeats at Ticinus, Trebia, and Trasimene placed the authorities on high alert, and for the first time there was a change from voluntary to formal

²¹¹ Liv. 21.62.1–11, *si in decem annos res publica eodem stetisset statu*, with the assembled list of prodigies in 218 at Engels 2007: 426–29.

²¹² See Engels 2007: 432–40.

²¹³ Liv. 22.9.7–8. For the bitter enmity between Fabius and Flaminius, see Plut. *Fab.* 2.4–3.6; Liv. 22.3.7–10, 12.5–7, 18.8–9, 39.6, with Feig Vishnia 1996: 25–34. For Livy's treatment of Flaminius at Trasimene, see Levene 1993: 38–43.

²¹⁴ Liv. 22.10.2–6.

²¹⁵ Liv. 34.44.1–3, *de integro faciendum arbitrato pontificum censuerunt*.

military oaths from the soldiers in the presence of military tribunes.²¹⁶ Then, in mid-summer 216, the Romans suffered the worst military defeat in their history at Cannae in Apulia. Eight legions faced Hannibal and were destroyed by him in a single day.²¹⁷ The battle casualties were of unparalleled magnitude, amounting to some 70,000, according to Polybius.²¹⁸ Even before the outcome of the battle became known at Rome, panic and despair gripped the city. Men remembered every oracle of doom that had ever been proclaimed; every temple and private house was full of ominous signs and prodigies; prayers, vows, sacrifices, supplications of the gods, and litanies pervaded all places throughout Rome.²¹⁹

The sober-minded Polybius describes the role of the Senate at this critical juncture. According to him, the senators left no stone unturned in trying to rally the populace and uplift morale in Rome. They exhorted the People, strengthened the city's defenses, and deliberated on the dire situation "with a manly spirit" (ἀνδρωδῶς). Subsequent events, the historian maintains, demonstrate the truth of that statement. Although the Romans had been soundly defeated and their military reputation had been shattered along with their army at Cannae, it was by the special features of the political constitution and the wise planning of the senators at this nadir point that they not only restored their Italian hegemony, but also defeated the Carthaginians in this war, and subsequently made themselves masters of the world. Thus Polybius prepares the reader for his analysis of the Roman *politeia* in Book 6.²²⁰

Such is Polybius' rationalizing account, extolling the Senate's cool-headed resolve, but the actual historical situation seems to have been a city filled with fear and anxiety, both among the general populace and in the Senate. Wissowa believed that this moment was the origin of the rites of the *Argei*, with a ritual drowning at this time of twenty-seven human victims in the Tiber by means of expiation, later mollified by the substitution of the effigies thrown into the river by the priests from the *pons sublicius* during the May festival of the Argeorum Sacraria. His theory rightly found few adherents.²²¹ But no scholar disputes that a human sacrifice did take place at Rome in the aftermath of Cannae. In the wake of the disaster, the senators ordered a consultation of the Sibylline Books, and once again the prescribed human sacrifice—two Greeks and two Gauls doomed to live burial—was presented to them, which they duly carried out in the Forum Boarium.

²¹⁶ Liv. 22.38.1–5; cf. Polyb. 6.33.1–3; L. Cincius Alimentus, *De Re Militari*, ap. Gell. NA 16.4.2–5.

²¹⁷ For details of the battles leading up to Cannae, see Walbank, *Comm.* 1.395–430.

²¹⁸ Polyb. 3.117.3–4, with Walbank, *Comm.* 1.440.

²¹⁹ Polyb. 3.112.8–9; cf. 3.118.5; 9.6.3–4; Liv. 26.9.7 (women sweep all of the temples at Rome with their hair upon Hannibal's approach in 211), with Levene 1993: 60.

²²⁰ Polyb. 3.118.7–9.

²²¹ Wissowa, *RR*² 60; for refutation, see already Fowler 1911: 54–55.

Let us consider further the human sacrifice of 216. Livy states that the entire year—as in 218 and in 217—had been filled with bad omens. This was before the disaster at Cannae (indeed, before the newly enrolled legions had even left the city), and there was also another sexual scandal at this time involving Vestal Virgins. The charge of sexual misconduct led to the suicide of one priestess, the execution of another by the traditional punishment of live burial, and the scourging and death of her male lover in the Comitium. But it became clear to the populace after Cannae that there were still serious disturbances with the *pax deorum*, and this collective dread led to consultation of the Sibylline Books and the third and most famous incidence of the paired live interments by way of expiation. Upon learning that the books once again recommended the live burial of two Gauls and two Greeks, the senators saw to it that the human sacrifice was promptly performed. The scandal of the Vestals was but one of many prodigies of that year leading to the consultation of the Books in the wake of Cannae. After ordering consultation of the Books and carrying out their prescriptions, the Senate also charged Q. Fabius Pictor with a mission to the Delphic sanctuary to ask Apollo's advice on the necessary prayers and supplications to propitiate the gods.²²² In recounting the human sacrifice in 216, Livy is almost at a loss for words, remarking that this practice was alien to the Roman way.²²³

How are we to make sense of it? We can begin by thinking about the plummeting morale and heightened anxieties of the city populace after the news of Cannae had reached Rome. Polybius explicitly states that at this time the Senate exhorted and encouraged the People, and that it approached the crisis in a level-headed manner.²²⁴ But if the senators' purpose was to ensure the People's steadfast obedience at this critical juncture by instilling them with paralyzing fear, the report of the debacle at Cannae would seem to have sufficed in itself. Perhaps we might think that the chilling spectacle would have served as a deterrent against the sort of lawless acts citizens can perpetrate in hopeless conditions, which Thucydides famously describes when sedition (*stasis*) gripped Corcyra in 427.²²⁵ But this spectacle was not a public punishment of wayward citizens, as one could maintain was the case, for example, when the three-hundred mercenaries under the command of a Campanian captain named Decius, captured from the siege of Rhegium in 271/70, were scourged and beheaded in the Forum.²²⁶ Conversely, if the senators' design was to assuage gripping dread and horror throughout the city, there were established avenues for that purpose readily available, such as the establishment

²²²Liv. 22.36.6–8, 57.2–6; for the interrelationship of these events, see Eckstein 1982: 73–75.

²²³Liv. 22.57.6, *minime Romano sacro*; cf. Plut. *Marc.* 3.3–4.

²²⁴Polyb. 3.118.7.

²²⁵Thuc. 3.82.1–84.3.

²²⁶Polyb. 1.7.8–13; App. *Sam.* 9.3; Dion. Hal. *Rom. Ant.* 20.5.5; Val. Max. 2.7.15 (*cives Romanos*); cf. Salmon 1967: 39n.1, on the *legio Campana*.

of extraordinary games, like the *ludi Tarentini* in response to the naval disaster at Drepana in 249 (established on the advice of the Sibylline Books), or the elaborate religious measures taken in the aftermath of the defeat at Trasimene, including temples to Venus Erycina and Mens, *ludi magni*, supplications, *ver sacrum*, and a *lectisternium* (all of which were also undertaken after consultation of the Books).²²⁷

To take another tack, we might think that the ritual action was instead intended for foreign consumption, but this approach creates even more serious obstacles when we consider the group identities of the victims. Why would the Senate at this time desire to stir up the hatred of the Gauls, an inveterate enemy, some of whom were already in league with Hannibal?²²⁸ Concerning the Greeks—whose public good-will had been diplomatically solicited as early as the First Illyrian War and whom some scholars see the Romans flattering in the less formidable circumstances surrounding the importation of Magna Mater in 204—nothing could seem more illogical than to send the future historian Q. Fabius Pictor in the guise of suppliant to Apollo at Delphi at the same time as a Greek couple was being sacrificed in the Forum Boarium.²²⁹ Trying to make sense of the human sacrifice of 216 in terms of rational diplomacy, or with an eye to both domestic and foreign consumption, is therefore a desperate measure. It is simpler to think that the authorities held the conviction that following the dictates of orthopraxy, whatever the Sibyl should prescribe, was essential for the continued existence of the *res publica*.

CONCLUSION

Roman religion, aptly described as accumulative civic polytheism, became increasingly chaotic and ever more intractable as Mediterranean-wide hegemony came into existence, and all the while religious authorities worked to maintain the fiction that the Republic's religious practices adhered to an unsullied ancestral tradition. If we choose to call the uncoordinated ceremonies and rituals a religious system, then we can say that the system, as a result of exigencies and pressures forced upon it by hegemonic aspirations

²²⁷ On the *ludi Tarentini*, see Bernstein 1998: 129–42; Engels 2007: 438–40, on measures taken after Trasimene. Lancel 1998: 98, speculates, however, that the *ver sacrum* once included human sacrifices.

²²⁸ For the Transalpine Gauls, see Liv. 21.20.8–9, 24.2–5; cf. Polyb. 3.41.7–9. In late 218, at the time of the engagements at Ticinus and Trebia, Gauls joined Hannibal as soon as he entered the Po valley (Polyb. 3.66.7–8; Liv. 21.47.7), and a Gallic contingent of 2,000 infantrymen and 200 cavalry in the Roman army defected to Hannibal (Polyb. 3.67.1–7; Liv. 21.48.1–3; cf. Polyb. 3.68.8 for Gallic supply lines, and Liv. 21.38.3–4, for reinforcements of Gauls and Ligurians). The famous Ebro Treaty ca. 226 had probably been motivated on the Roman side, at least in part, by a desire to avert potentially hostile combinations of Carthaginians and Gauls.

²²⁹ For the cultural diplomacy in 228, see Polyb. 2.12.4–6; for Pictor's mission to Delphi in 216, see Liv. 22.57.4–5, 23.11.1–6; Plut. *Fab.* 18.3; App. *Hann.* 27.

and imperial success, was constantly scrambling to bring some sense of definition, order, and control over an unwieldy plethora of religious behaviors and practices, many of which were imports not only from outside of Rome, but from beyond the confines of peninsular Italy.

The triumph brought the victorious general and the spoils of victory—sometimes including unknown deities—from the hostile fields of military contests beyond the city into Rome's very heart, the Capitoline hill. According to legend, this ritual celebration of victory was coeval with the foundation of the city. In historical reality, the triumph evolved with imperial expansion, from misty and unpretentious beginnings to the extravagant spectacles of Pompey and Caesar. There is no reason to discount our sources' claims that the triumph was the conduit for alien physical, cultural, and religious productions to infiltrate Rome. In religious terms, the triumph could provide a stage for the introduction of strange gods. It was the most electric of all Roman spectacles, and in its carnivalesque atmosphere the normative outline of things became blurred. The *triumphator* himself was its focal point, and on his day of epiphanic public glory he entered dangerous liminal zones, including the ritual reincorporation of the outstanding individual and his achievements into the citizen body, and the permeable and unstable boundaries between human and divine. The quasi-apotheosis potentially presented the triumphing general with perilous psychological and spiritual impasses, and in contemplating the personal experience of the celebrant, we should take them seriously.

While military *evocationes* may have been one of the more sensational ways in which an immigrant deity could come to Rome, additions to an ever-increasing pantheon inexorably kept pace with growth of interstate power by other avenues as well. Thanksgiving for alleviation of plague, contact with non-Roman religious cultures, particularly those of the Greeks, or new and foreign religious institutions introduced under compulsion of fear of military catastrophe were a few of the ways in which novel gods could establish themselves at Rome. To search for some sort of rational planning on the part of elites in this process is an exercise in futility. Nowhere does this become clearer than in juxtaposing the introduction of Magna Mater in 204 and the suppression of the Bacchanals in 186. The abandoned, emotional, and imprudent characteristics of both cults were anathema to elites' religious sensibilities.²³⁰ Yet the authorities imported the Mother Goddess with great fanfare on the advice of the Sibylline Books, while they persecuted the worshippers of Dionysus-Bacchus in a brutal and violent repression. In both cases, the primary issue seems to have been one of religious control, not

²³⁰ Cf. Linder and Scheid 1993: 52, "La foi passionné et enflammée n'était pas à sa place dans la religion traditionnelle" ("Passionate and burning religious zeal was not appropriate in traditional [Roman] religion").

surprising in the context of a continually expanding, increasingly diverse, and progressively fragmented set of religious cults and ritual practices. But there is a decided randomness to these state actions, suggesting that we might want to resist thinking of any sort of religious policy concerning the acceptance or rejection of external cult and ritual; better to posit elites' anxious and reactionary impulses guided and placated by the prescriptions of established religious authority and the comforting illusions of *interpretatio Romana*.

State-sponsored, ritual human sacrifice at Rome, in various forms, is a historical certainty. This practice strongly suggests that for governing elites proper maintenance of the *pax deorum* was a deadly serious business. On any other view, it is impossible to fathom the *devotio* of the general on the field of battle or the live burial of a Vestal Virgin from an elite family, who had been convicted of unchastity. On three occasions of impending military cataclysm, in 228, 216, and 114/13, and upon consultation of the Sibylline Books, the authorities buried alive in the Forum Boarium two pairs, a Gallic man and woman and a Greek man and woman. Again, it is extremely difficult to understand these expiatory murders if we suspect that elite motives were somehow disingenuous. This is especially true of the human sacrifice in 216, conducted in the most parlous of times in the wake of the debacle at Cannae, when any logical analysis concerning international diplomacy would have dictated that the senators try every means available to them to assuage the sentiments of Greeks and Gauls and thereby try to ensure at least their neutrality in the war against Hannibal, not to exacerbate their hatreds of Rome and perhaps induce them to join hands with the Carthaginian nemesis.

Disparate behaviors *domi militiaeque* illuminate elites' religious intentions and motivations. By widely divergent routes—the spectacle of triumphs, official responses to foreign cult, and public human sacrifice—we have converged upon a single proposition: rather than conducting a public charade in performing their religious duties for nonelite consumption, senators and priests were seriously committed to establishing and upholding the *pax deorum*. Together chapters 2–4, by examining domestic religion at Rome, elites' religious practices in military contexts, and the impact of imperial expansion on the state religion, support the contention that elites believed in the gods. They shared a *genuine, collective* conviction that Roman success, and the city's existence, depended on preserving the “peace of the gods” through orthopraxy.

FIVE

Understanding Elites' Religious Behaviors in the Middle Roman Republic

Abode of Gods, whose shrines no longer burn
Even Gods must yield—Religions take their turn:
'Twas Jove's—'tis Mahomet's—and other Creeds
Will Rise with other years, till Man shall learn
Vainly his incense soars, his victim bleeds;
Poor child of Doubt and Death, whose hope is built on reeds.

—Lord Byron, *Childe Harold's Pilgrimage*, Second Canto, III

Elite-instrumentalism, as we have seen, still lurks in some of the most recent scholarship on Roman religious life. While the preceding chapters should help to keep this perspective within proper bounds, a refutation of the model, which some scholars would say is a dead horse (even as they subscribe to it, albeit in more indirect ways than their predecessors), has not been the primary reason for engaging with it. Rather, elite-instrumentalism, as historical counterfactual, is a powerful interpretative tool. This concluding chapter is an attempt to go beyond it, drawing eclectically on psychological, anthropological, and sociological research, as well as work in contemporary theories of culture. However, such an approach for understanding elites' religious behaviors raises a serious question. In what methodological sense and with what sort of rationale can an historian of the ancient Mediterranean world extrapolate from the findings of contemporary or near-contemporary, culturally bounded, western social scientists in order to understand religious behaviors of people living in a radically different culture, which existed more than two millennia ago?

In today's academic discourse, such a methodology is likely to strike the reader as deplorably wrong-footed. First and foremost, it would seem to subscribe to an outdated idea of an immutable human nature, and to assume that Terence's famous dictum, *homo sum, humani nihil a me alienum puto*, is unproblematic.¹ In other words, to use current studies in the social sciences in order to think about elites' religious practices in the Middle Republic could appear to reflect a naïve, obsolete, and uncritical assumption

¹Ter. *Haut.* 77 (Chremes), "I am a human being, I consider nothing that is human alien to me."

that human beings think, feel, and act in the same ways across time and space, which some readers may associate with the discredited presumptions of R.G. Collingwood's "historical reenactment," or A.O. Lovejoy's "great chain of being." These are well-known by-products of a now unfashionable, positivist brand of the "history of ideas." This type of intellectual history exhibits several of Quentin Skinner's methodological "mythologies," failing to situate rigorously texts and discourses in their own historically determined linguistic, ideological, and political contexts—and thereby to understand them in their own terms—to the degree that source evidence allows and openly acknowledging the inevitable distortions arising from cultural filters of the researcher.²

Surely, therefore, I should be convicted for an indefensibly simple-minded presupposition of an immanent, transhistorical, homogeneous human psychological reality. After all, as Claude Levi-Strauss taught us long ago, cultural communities conduct themselves according to incommensurable worldviews, and Clifford Geertz demonstrated how difficult it is for anthropologists to provide "thick descriptions" (a phrase he borrowed from Gilbert Ryle and then made famous) of cultural systems other than their own. Furthermore, Thomas Kuhn, in his study of the nature of scientific revolutions, and Michel Foucault, in his voluminous writings on "*epistèmes*" and the workings of Power, insisted that in historical analysis we should attend to decisive, paradigmatic shifts, and that ruptures and disjunctions are more important than putative threads of continuity in historical reconstruction. And, of course, the idea of a dominant-ideology paradigm is in itself suspect, as I have argued in chapter 2, in considering evidence for an independent, nonelite religious culture during the Middle Republic.

Other considerations may seem to undermine the legitimacy of my approach, and I must briefly address these before proceeding. Even if we were to assume for the moment that we can make a compelling case for using modern studies in the social sciences in order to understand religious behaviors of elites, why should we privilege one sphere, let us say the psychological, over another, such as the cultural? In a celebrated essay entitled "The Impact of the Concept of Culture on the Concept of Man," Clifford Geertz criticized what he called the "stratigraphic conception" in anthropological studies and their search for the essence of "man." The methodological fallacy here, according to Geertz, was that one could arrive at something like an essential human nature by stripping away superimposed strata—biological, psychological, social, and cultural—thus clearing the way to solid bedrock, the unchanging foundation of what it is to be human.

²For Skinner's methodological prescriptions for understanding texts and authors, see the collected essays in Tully 1988.

In this conception, man is a composite of "levels," each superimposed upon those beneath it. As one analyzes man, one peels off layer after layer, each such layer being complete and irreducible in itself, revealing another, quite different sort of layer underneath. Strip off the motley forms of culture and one finds the structural and functional regularities of social organization. Peel off these in turn and one finds the underlying psychological factors—"basic needs" and what have you—that support and make them possible. Peel off psychological factors and one is left with the biological foundations—anatomical, physiological, neurological—of the whole edifice of human life.

For Geertz, any such search is ultimately futile because these analytical perspectives on human individuals and societies do not require that we assign historical priority to any of them. To think that they are strata, ordered and layered according to temporal sequencing, is indefensible. Enlightenment notions that the essentially human is what remains once the accretions of "cultural costumes" are stripped away, as well as the late-nineteenth and twentieth-century anthropological projects of finding a fully developed humanity in the teleological culmination of superimposed, evolutionary sediments of human history, were fatally flawed from the start. Regardless of the direction of their imagined lines of historical trajectory, all of these endeavors erred, according to Geertz, by beginning with an unanswerable "chicken-and-egg" question. Why, he asks, is any sort of reductionist hypothesis necessary at all? The apparent bookends of teleological thinking about human beings in terms of temporal sequencing are the organic/biological and the cultural. The dominance of *homo sapiens* among the hominids during the Pleistocene period—so this sort of thinking goes—only enabled the long and arduous process of coming upon a supplementary, humanizing "culture." But as Geertz wryly states, "A cultureless human being would probably turn out to be not an intrinsically talented though unfulfilled ape, but a wholly mindless and consequently unworkable monstrosity. Like the cabbage it so much resembles, the *Homo sapiens* brain, having arisen within the framework of human culture, would not be viable outside of it."³

Let us first consider the organic/biological dimension. To the best of my understanding, specialists would now tell us unanimously that in the historical period (let us say, at least from about 3000 B.C.E. onwards), even given great differences in diet, nutrition, and life expectancies, the human brain has remained essentially the same in its basic physiology.⁴ In organic/biological

³Geertz 1973, quotations from 37 and 68, with Bell 1992: 25–35, esp. 25–29.

⁴On nutritional deficiencies, especially pressing on nonelites, and social distinctions based on food consumption, see Garnsey 1988, esp. 113–27 (Greek and Roman antiquity generally), and Garnsey 1999: 182–97 (grain suppliers, wartime grain redirections, and feeding the burgeoning urban populace at Rome during the Middle Republic), with the perceptive discussion in Toner 2009: 11–53.

terms, then, we can begin from the assumption that ancient Romans were physiologically hard-wired in much the same way as present-day people. If that is the case, then social scientific research should be relevant to our project, at least in physiological terms. Moreover, the evidence of relative newcomers among the scientific disciplines—cognitive neuroscience, behavioral genetics, evolutionary psychology, studies in visual attention and memory, and the biological understanding of the mind; in short, the sciences of human nature—suggest that we should not be so hasty in ruling Terence’s famous dictum entirely out of court. The anthropologist Donald E. Brown, for example, has drawn up a list of Human Universals, compiled in 1989 and published in 1991.⁵ Without needing to think in terms of teleology or temporal sequencing, we can consider our physiological hard-wiring as a computer and its hardware, and our cultural idiosyncrasies as the software the computer is running. In his highly-acclaimed book *The Blank Slate*, the Harvard linguist, psychologist, and cognitive scientist Steven Pinker makes the point succinctly in discussing *song* among a Micronesian people, the Ifaluk:

[T]he issue of whether to call Ifaluk *song* and Western *anger* the same emotion or different emotions is a quibble about the meaning of emotion words: whether they should be defined in terms of surface behavior or underlying mental computation. If an emotion is defined by behavior, then emotions certainly do differ across cultures. The Ifaluk react emotionally to a woman working in the taro gardens while menstruating or to a man entering a birthing house, and we do not. We react emotionally to someone shouting a racial epithet or raising the middle finger, but as far as we know, the Ifaluk do not. But if an emotion is defined by mental mechanisms—what psychologists like Paul Ekman and Richard Lazarus call “affect programs” or “if-then formulas” (note the computational vocabulary)—we and the Ifaluk are not so different after all. We might all be equipped with a program that responds to an affront to our interests or our dignity with an unpleasant burning feeling that motivates us to punish or to exact compensation. But what counts as an affront . . . depends on our culture. The stimuli and responses may differ, but the mental states are the same, whether or not they are perfectly labeled by words in our language.⁶

In attempting to debunk the pillars of many present-day academics’ intellectual presuppositions, mythologies which he calls the Blank Slate, the Noble Savage, and the Ghost in the Machine, Pinker argues for strong correlations between evolutionary and genetic factors and human behaviors. He

⁵See Brown 1991.

⁶Pinker 2002: 38–39. Pinker conveniently provides a partial list of Brown’s Human Universals as an appendix (435–39); and see 103–104 for his comments on how and why these mythologies have had such staying power.

assembles an impressive array of scientific studies that inexorably lead to the conclusion that the workings of the human mind are heritable, combinatory, and recursive, and that there is such a thing as a complex human nature. In reaction, some academics, public intellectuals, and lay readers have had misgivings that such a position, assigning such an important role to genetics and heritability, could lead to discrimination and even human atrocity. Given that scientific theories can be and have been put to nefarious uses—one immediately thinks of the Holocaust, or perhaps the quasi-scientists in our own time who would deny climate change—their concerns are salutary and justified. But as Pinker is quick to point out, scientific knowledge should not and cannot be silenced for long, and one can accept, for example, Darwinian evolution without becoming a Social Darwinist. As he notes, “The sciences say nothing, of course, about differences in values that are associated with particular right-wing and left-wing positions . . . Nor do they speak directly to the policies that are based on a complex mixture of assumptions about the world. But they do speak to the parts of the visions that are general claims about how the mind works. Those claims may be evaluated against the facts, just like any empirical hypothesis.”⁷

To the extent that the sciences of human nature are science and not ideology (and the range and volume of the scientific literature Pinker marshalls is impressive indeed), their implications for historians are enormous. My purchase on this research for the purposes of this study is as follows. If it turns out that there is a complex human nature that is transcultural and trans-historical, then what might seem to be a methodological contradiction to some readers of this book is resolved. This is to say that while Roman elites' religious culture was something completely alien in so many respects to present-day sensibilities (as Keith Hopkins said, the Romans were “dangerously different”), at the same time we can use findings of present-day social scientists, especially psychological studies, in order to understand Roman elites' religious behaviors.

But what are we to say about the cultural dimensions of Roman society? Here recent work in anthropology has paved the way, as anthropologists have begun to emphasize what human societies share after being obsessed for so long with how they differ.⁸ One particular way in which they have drawn our attention to human commonality is in studying the perception of time. Some have even linked together the organic/biological and the cultural in explaining the human experience and temporality. Barbara Adam, for example, while conceding that time is for the most part a social construction, argues for an interdisciplinary, layered, nondualistic theorizing of it that acknowledges the

⁷ Pinker 2002: 293–94.

⁸ An early, popular example was Hall 1959, postulating a “major triad” of informal, formal, and technical learning common to all cultures. I further discuss, and critique, totalizing theories of culture in section 4.

fact that the cultural phenomenon of time is a given, because human beings are organic life-forms pulsing with circadian rhythms.⁹ Therefore the teleological bookends in temporal sequencing models of human evolution, the biological/organic and the cultural, turn out to be, as Geertz admonished, in a quite obvious sense coincidental and coterminous.

How can we hope to understand more complex cultural forms, especially those of a long-dead historical society? Drawing on work of several theorists of culture, I argue that we can indeed say something here. Although cultural contents and contexts of historical societies can and do differ dramatically, individuals living within those societies were to varying degrees inculcated with broad, common cultural imperatives, and for the most part lived out their lives within the network of those rules and prescriptions (subcultures, as I shall argue in the final section, may have more exacting arrangements of customary rules and prescriptive injunctions superimposed on more common, widely shared ones; a crucial point for the argument that follows). Since we are in a position to discern at least the outlines of normative enjoinders of just about any well-documented historical society, we can extract from them something like universalizing, analytical concepts—at least in terms of personal and social psychology—in order to understand historical agents' actions. We need not think that categorical abstractions of this sort and historical specificities are mutually exclusive, but rather that they can inform and cross-fertilize one another, making satisfying historical reconstructions possible, and highly plausible. I shall argue in the final section, however, that in the case of elites of the Middle Republic, normative frameworks, such as their religious system, were undergoing unprecedented strain, which thrust them into crisis-mode and revealed their basic underpinnings in high relief.

In the first section we shall consider seeming contradictions to the idea that elites believed in the state religion in the sense that I have defined "belief." Some passages in literary texts—but we must stress that most of these were written in the Ciceronian age and therefore should be used with extreme caution—suggest an irreverence or incredulity on the part of *some* elites regarding official cult and ritual. And yet priests and religious functionaries for the most part seem to have adhered unwaveringly to demanding prescriptions for proper religious procedure and protocol. As argued in chapter 2, it is difficult to accept that their primary motivation could have been to use their religious behaviors as a means to make nonelites more subservient to their political and social authority. I must hasten to add here that it would nonetheless be absurd to argue that elites had no cognizance of the fact that the civic religion reinforced the political and socioeconomic status quo, as Polybius explicitly, if perhaps exaggeratedly, states. Yet if we accept that elites' primary motivations in the sphere of religion lay elsewhere, how

⁹ Adam 1990: 70–90; see the summary at Feeney 2007: 3–4, and literature cited there.

are we to reconcile the apparent inconsistency of their occasional skeptical or incredulous religious stances and their steadfast commitment to the minutest demands of orthopraxy?

In attempting to answer this question, I take as the focal point of the first section a remarkable historical moment at Rome in the year 155: the arrival of the skeptical Academic philosopher Carneades and the so-called philosophical embassy to the city. In entertaining the Greek philosophers from Athens, Roman elites were exposed to and participated in discussions which would have cast the possibility of all knowledge, including knowledge about the gods, into doubt. It goes without saying that many of the elites who attended the philosophers' lectures were, or would eventually become, priests.¹⁰ In order to make sense of their apparently incongruous conceptual maps, I turn to Paul Veyne's suggestion that civic polytheism as a religious system was characterized by a "plurality of modalities of beliefs."¹¹ Social and cultural contexts in a traditional, rule-bound culture, such as the one to which republican elites subscribed, shape appropriate behaviors expressing such "modalities of beliefs." Veyne himself drew on and expanded ideas he found in the anthropological and sociological literature. I am informed by some of this literature in thinking about our problem, but I have relied more heavily on psychological studies. In certain cultural contexts, elites could express skeptical or incredulous utterances concerning the divine, but this does not compel us to think that in the religious sphere their convictions about the efficacy of orthopraxy were necessarily in any way compromised. Psychological research supports this idea and helps us to understand the behavior of senators attending Carneades' lectures.

In the following section I employ the psychological theory of cognitive dissonance in order to gain a better appreciation of elites' religious behaviors. In some cases, the idea that cultural and social contexts largely determine behavior and help to account for attitudinal ambivalence simply will not do. I suggest that attitudinal ambivalence would have been stretched to breaking point in several of our case studies: for example, the live burial of unchaste Vestal Virgins, human sacrifice in the immediate aftermath of the military debacle at Cannae, or the tradition of *devotiones* of generals at climactic moments on the battlefield. Here we need another theoretical model (cognitive dissonance theory), and the historical event that will help us to think with this model is an extraordinary military juncture during the First Roman-Syrian War, which has not received the careful scholarly attention it deserves as a window into elites' religious behaviors. At a critical moment in the campaign against Antiochus III, Publius Cornelius Scipio Africanus,

¹⁰Cf. Hahm 1963 (see esp. 83n.32), who showed that eighty percent of augurs and seventy percent of *pontifices* attained the consulship.

¹¹Veyne 1988: xi.

serving as a subordinate officer under the command of his brother Lucius, acted in a way that is difficult to reconcile with any possible military imperatives, but which is understandable when we take into account his religious obligations as Salian priest. Here the psychological theory of cognitive dissonance—through an exercise in historical counterfactual thinking with the elite-instrumentalist model—supports the claim that elites believed in their gods in the sense that I have defined the term “belief.”

The third section takes up the tradition of Scipio Aemilianus’ supposed *evocatio* of “Juno Caelestis” before the fall of Carthage by contextualizing it within a fairly commonplace religious phenomenon, well-attested at other times and in other places, whereby the worshipper bargains with the divine, almost in the nature of a contract. In *De Natura Deorum*, for an example, Cicero states the principle explicitly, having his interlocutor Cotta say that there would be no reason to worship the gods if human beings have neither received nor can hope to receive any benefit from them.¹² Aemilianus’ siege of Carthage was difficult and protracted, and as it dragged on he began to lose favor at Rome and to provide ammunition for his political enemies, and the possibility that he might be supplanted by a successor who would gain the glory of having destroyed Carthage was most likely never far from his mind. It is in this context that we should understand Aemilianus’ resort to the ritual of *evocatio* at Carthage, if indeed we are to accept it as historical. Furthermore, given what we can know about the actual conduct of the siege, we have reason to think that the propagandistic value of the ceremony, both for the troops under Aemilianus’ command at Carthage and for the populace back in Rome, would have been negligible. We may have to entertain the idea that for Scipio Aemilianus the demands of orthopraxy—in this case turning to an ancient ritual of consecration of an enemy city—were key elements in securing a successful military outcome.

The final section critiques the idea of a dominant-cultural paradigm, drawing on the work of a number of theorists of culture, and sharpening the focus on elites’ religious practices and their consumption. In thinking about this problem, we can profitably draw upon the work of totalizing theories of culture, provided that we do not think of culture as unified and homogeneous, but rather as a conglomeration of subcultures under the umbrella of a commonly held main culture. Concerning these subcultures, we of course happen to know most about the elite culture reflected in literary texts. But we should not let that fact blind us to the others. Stating my position bluntly, I maintain that Romans as a totality, elites and nonelites alike, were held together only sporadically and tenuously as far as religious culture went. Festival time, aristocratic funerals, celebrations of triumphs, state-decreed periods of

¹²Cic. *NatD.* 1.41.116–17; cf. Suet. *Aug.* 16.2–3, Augustus excluded Neptune in a procession because the god had failed to avert the loss of a large number of ships.

thanksgiving or mourning, and the like, were interstices connecting elite and nonelite religious universes, which were otherwise in some measure independent of one another. To the extent that we can view elite religion at Rome as a religious system and discern its structure, parameters, and internal logic, we frequently must apply our findings almost exclusively to elites. We have broached this idea already in chapter 2, in the discussion of “heterarchy” as a more apposite model than hierarchy in trying to understand religious cultures at Rome. Here we take up that idea and push it further, suggesting that we can make good use of totalizing theories of culture, as long as we confine them to elites, the strictures, protocols, formalities, and minutiae of whose religion were produced, consumed, and understood by elite practitioners in a way that was impossible for nonelite *incognoscenti*. As a religious system of an elite subculture—in its totality an elite, “in-house” religious system, as it were—ritual, cultic, and ceremonial traditions (orthopraxy, in short), underwent unrelenting strain and challenges during our period, reaching several nodal crisis points in the period from the Hannibalic War to the advent of the Gracchi.

I. ATTITUDINAL AMBIVALENCE IN SOCIO-CULTURAL CONTEXT: CARNEADES AT ROME

If Roman elites believed in their gods (in the sense I have defined “belief”), then what are we to make of occasional references in our literary sources suggesting religious skepticism on the part of some elites? That question looms large, but it must be properly framed. At the outset, we must underscore the fact that the bulk of such indications comes from the Ciceronian age. But as we have seen in considering Cicero's religious ideas in chapter 1, even late republican evidence of this sort does not straightforwardly suggest incredulous elite skepticism regarding traditional religion. This is true even in the case of such an extraordinarily erudite individual as Cicero. There are, nevertheless, rare instances concerning elites of the Middle Republic that could lend themselves to elite-instrumentalist interpretations. For example, the elder Cato supposedly remarked that one *haruspex* could not help but laugh upon meeting another one, apparently suggesting that these self-proclaimed experts on divination were all a pack of charlatans.¹³ But here—if indeed we can even trust in the historicity of the anecdote—Cato was most likely referring to *haruspices* working privately for money, not public diviners.¹⁴ Or, to take another example, Greek thinkers had criticized what they regarded

¹³ Cic. *Div.* 2.24.51–52; cf. Cic. *NatD.* 1.26.71; Cato, *Agr.* 5.4; Columella, *Rust.* 1.8.6; Hor. *Carm.* 1.11.

¹⁴ See Rosenberger 2007: 300; cf. MacBain 1982: 43n.99; Rasmussen 2003: 177–82, “The sources provide more convincing evidence of a particular group that stands out among the other types of *haruspices*, apparently self-styled practitioners of extispicy specializing in private portents” (quotation from pg. 178).

as an insipid practice of representing gods in iconography long before our period, and late republican writers at Rome relayed such criticisms.¹⁵ In the second century, the satirist Lucilius had already vented against the folly of such iconographic representations of the divine:

The bogies and witches that your sylvan oracle-mongers the Fauni and your King Pompilius Numa instituted, he trembles at them, and stakes everything on them. As children before they can speak believe that all bronze statues are alive and are human beings, so those [deluded adults] think that all the molded objects/fakes/fictions are real, and believe that there is intelligence inside the bronze statues. The shop-front of the makers/fakers has nothing real, all molded fakes/objects/fictions.¹⁶

In this case, we should note that C. Lucilius was of the provincial elite, a fabulously wealthy landowner who was politically well-connected (his niece was the mother of Cn. Pompeius Magnus), and—most important for our purposes—an intellectual writing as an early representative of Roman satire, a genre characterized by its irreverence regarding all things, in the manner of Attic Old Comedy. Indeed, Horace referred to Lucilius' dependence on Aristophanes.¹⁷ In the case of Roman comedy in performance, we can find some evidence for what might be taken as religious skepticism and incredulity, but we must also remember that nonelites in the audience also apparently enjoyed fun poked at the gods, as for example in Plautus' *Amphitruo*.¹⁸ The poet Ennius, like Cato, issued barbed comments against astrologers, dream interpreters, and soothsayers, but these were men out to make a profit (Cato's criticism), and Cicero, our source for this tidbit, reveals that in any event these comments come from Ennius' lost play, *Telamon*, and the sentiments expressed by a character in a play cannot be taken as Ennius' own conviction.¹⁹ In his *Annales*, Ennius frequently invoked the gods, but he also produced an edition in Latin of the work of Euhemerus, who had famously maintained that the gods were nothing more than great men of the past, whose deeds had been magnified by posterity and who ultimately were given divine honors.²⁰ There is nothing inconsistent here, as Ennius' statements on

¹⁵ See, for example, the famous "Kritias fragment" at Sext. Emp. *Math.* 9.54; for the Roman critique, see Varro *ap.* August. *Civ.* 4.27; Plin. *HN* 2.5.14–15. Ando 2008, esp. 21–42, explores physical representations of the gods in Roman culture; cf. Platt 2011.

¹⁶ Lucilius frg. 484–89 Marx, with Feeney 1998: 92–104, whose translation of the passage (pg. 93) I have used here.

¹⁷ Hor. *Sat.* 1.4.6–13. For Roman satire, see the perceptive comments of Wiseman 2009: 131–51.

¹⁸ For an interesting discussion of Plautus' *Amphitruo* and possible comic allusions to Scipio Africanus' divine associations, see Galinsky 1966; cf. O'Neill 2003b, who connects the play with the triumph of M. Fulvius Nobilior and stresses its affinities with *carmina triumphalia*.

¹⁹ Cic. *Div.* 1.58.132; for Ennius' *Telamon* as the source, see Cic. *Div.* 2.50.104; Cic. *NatD.* 3.32.79.

²⁰ Cic. *NatD.* 1.42.119 (Ennius' translation and imitation of Euhemerus).

the gods were dictated by conventions of literary genres; they tell us nothing about his own views.²¹ The point is that, in all of these cases, we must attend to social, literary, and cultural contexts. The sting of Cato's quip disappears when we contextualize it properly, the social and cultural contexts of Roman comedic performances allowed for seemingly blasphemous public ribaldry, Ennius can be grossly misunderstood if we do not give careful attention to generic literary prescriptions, and what we read in Lucilius must be understood within the confines of the Greek literary genre that he was adopting and adapting into a new mode of Latin poetry. Writers dared to experiment with radically skeptical reactions and to give voice to such theoretical positions within the framework of convention.²²

In order to pursue this line of argument—that is, that intellectual, cultural, and social contexts can be largely determinative of utterances and behavior and go a long way towards explaining seemingly incongruous actions on the part of elites regarding religion—let us leave fragmentary and anecdotal evidence and focus on a well-attested and celebrated event in Roman political and cultural history: the arrival at Rome in 155 of the so-called philosophical embassy from Athens. This embassy's objective was to obtain remission of an enormous fine. Sometime before its arrival, the Senate had designated Sicyon as a third-party arbitrator, whose task it was to impose a penalty on the Athenians for their attack on neighboring Oropus. No Athenian representatives appeared for the trial, and the Sicyonians inflicted on them *in absentia* an enormous fine of 500 talents. The Athenian embassy protested this ruling and secured from the senators a reduction of the fine to 100 talents, which in the end the Athenians did not pay. On the contrary, they ultimately beguiled the Oropians into agreeing to admit an Athenian garrison and to give hostages to Athens.²³

The ambassadors to Rome in 155 were the Academic philosopher Carneades, Diogenes the Stoic, and Critolaus the Peripatetic—all eminent heads of their respective philosophical schools. Interestingly, no Epicurean philosopher took part. Several well-known figures from the Garden presumably would have been available: Philonides of Laodicea, for example, renowned for his mathematical studies, or perhaps Apollodorus of Athens,

²¹ See now Elliott 2013, esp. 45–51, and 303–307 on the gods in Ennius; cf. 233–94 for the “universalizing” nature of the *Annales*.

²² Cf. Rawson 1991: 84n.22, “Lucilius’ burlesque treatment of the gods and kings of Rome in his *Satires* does not of course tell us much about his considered views on religion.” In a similar vein, we would go far wide of the mark in making too much of irreverent, mocking, and unrestrained behavior during the Saturnalia festival beyond the particular carnivalesque context; on which, see Toner 2009: 92–100.

²³ Paus. 7.11.4–8; Plut. *Cat. Mai.* 22.1–2; for discussion and further sources see Gruen 1984: 257–58; Mette 1985: 66–69, 121–22; Erskine 1990: 189n.13; Broughton, *MRR* 1.448. For an attempt to reconcile Carneades’ political objectives and philosophical position in the embassy of 155, see Champion, 2016.

the “Garden-Tyrant” who assumed leadership of the school sometime during the second half of the second century. Another candidate would have been Demetrius of Laconia, whose large literary output is known from the Herculanum papyri. The absence of an Epicurean ambassador may have been due to the likelihood that no Epicurean at the time enjoyed celebrity status in elite, educated circles equivalent to that of Carneades, Diogenes, or Critolaus; or perhaps the tenets of the school were at this time somewhat too extreme for Roman aristocratic consumption.²⁴

In any event, each of those who did travel to Rome on Athens’ behalf—Carneades, Diogenes, and Critolaus—gave spectacular public oratorical performances in the city.²⁵ According to Plutarch, Carneades in particular won a huge following among Roman noble youth and “filled the city, like a powerful wind, with his praises.”²⁶ The setting for these speeches was undoubtedly not a *contio*, an official but nonvoting public assembly summoned by a magistrate, but rather an informal gathering at an urban house of one of the Roman grandees who sponsored and hosted the philosophers.²⁷ The senator C. Acilius, who served as translator for the philosophers in their formal addresses to the Senate, is a likely candidate as host for their informal rhetorical displays.²⁸ Incidentally, such a venue for these oratorical performances complements the argument in chapter 2 about the contiguous—but not isomorphic—relationship between elite and nonelite cultures at Rome: while nonelites may well have heard about the philosophers and their speeches, the actual participants were most likely exclusively elites. And so we should accept Plutarch’s statement that Carneades garnered a throng of admirers among *aristocratic* youth, but we should read his words about the entire city ringing with their praises as rhetorical exaggeration.

In this setting—among elites at a Roman elite’s house—Carneades is said to have defended justice in one oration, only to reverse his position

²⁴Epicurean scholars are poorly known for this period; see Dorandi 1999: 52. Epicureanism caught on at Rome in the age of Philodemus and Lucretius; see Griffin 1989: 8–9.

²⁵Cic. *De Orat.* 2.155; cf. *Tusc.* 4.5. The event was famous enough to merit inclusion in Atticus’ *Annales* (Cic. *Ad Att.* 12.23.2). Polybius himself may have been in attendance; he apparently referred to it in a lost part of his work: Polyb. 33.2.9–10 (Gell. *NA* 6.14.8–10, with Ferrary 1988: 360, and n.30). Lucil. frg. 35 Warmington (frg. 17 Charpin; frg. 31 Marx) may refer to these speeches.

²⁶Plut. *Cat. Mai.* 22.2; cf. Gell. *NA* 6.14.10. See Plut. *Mor.* 1059b, for Carneades as the Academics’ “fairest flower”; *Mor.* 717d, for Carneades as “the most celebrated adherent of the Academy”; see also D.L. 4.62–64.

²⁷The same circumstances would have applied to the strange case of Crates of Mallos, who lectured in Rome while recuperating from a broken leg suffered from a fall in a sewer-hole on the Palatine (Suet. *Gram.* 2.1, with Kaster 1995: 58–59). On *contiones*, see Botsford 1909: 139–51; Taylor 1966: 15–33; Pina Polo 1995; Pina Polo 1996: 34–64, 182–98; Morstein-Marx 2004: 34–67 (42–60, for an archaeological survey of contional spaces in Rome); Pina Polo 2011: 83–98; cf. the comprehensive list of civil *contiones* in the monarchical and republican periods at Pina Polo 1989: 244–313 (rightly omitting the philosophical embassy).

²⁸Acilius wrote a history in Greek; see Cornell, *FRH* 1.224–26; for C. Acilius as translator in the Curia, see Plut. *Cat. Mai.* 22.4–5; Gell. *NA* 22–23; cf. Macrobius *Sat.* 1.5.16, with Gruen 1992: 238n.69.

the following day in a subsequent speech, making the case for injustice in a Thrasymachean vein.²⁹ Like a latter-day Gorgias in the tradition of the *Dissoi Logoi*, Carneades was allegedly able in these virtuoso performances to carry his audiences to diametrically-opposed conclusions.³⁰ The senior senator M. Porcius Cato, former consul and censor, was alarmed at the prospect of Greek rhetorical distortions of traditional moral values and urged his colleagues to hasten the departure of the philosophers from Rome.³¹

The historicity of the embassy of 155 is beyond dispute, but some scholars have questioned whether Carneades actually delivered diametrically opposed speeches on consecutive days, and especially the idea that in his second oration the skeptical Academic philosopher may have criticized the Roman empire in terms of justice and injustice.³² Such doubts arise from the uncertain ancient source tradition. First of all, written transcripts of delivered speeches were a rarity in the ancient world.³³ In the case of Carneades, moreover, we have a philosopher who, like Socrates, wrote nothing himself. Carneades' student Clitomachus attempted to write down his master's teachings in four hundred books, even though he confessed that he was never able to understand fully Carneades' philosophical position.³⁴ In any event, none of Clitomachus' writings have survived. The earliest source for the tradition on Carneades' orations is Cicero, as relayed by Lactantius. Cicero wrote his *Republic*, from which

²⁹ Quint. *Inst.* 12.1.35; Cic. *Resp.* 3.21; Lactant. *Div. Inst.* 5.14.3–4, 16.2–4; *Epit.* 50.8 Heck and Wlosok.

³⁰ According to Aelian (*VH* 3.17), senators remarked that the Athenians had not sent the philosophers to persuade, but rather to force them to do whatever they wanted.

³¹ Plut. *Cat. Mai.* 22.4–5; Plin. *HN* 7.112–13, with Kennedy 1972: 38–60; Gruen 1992: 52–83; cf. Cornell, *FRH* 1.191–218. Cato's hastening of the philosophers' departure from Rome is consistent with several official public resolutions ostensibly aimed at curtailing Greek cultural influences in the capital. In 213 foreign writings on religious matters were confiscated by senatorial decree and praetorian edict (Liv. 25.1.6–12); in 181 ancient Greek philosophical writings were destroyed by a decree of the Senate (Liv. 40.29.2–14); in 173 or 154 the Epicurean philosophers Alcaeus and Philiscus were expelled from the city (Ath. 12.547a); in 161 the praetor M. Pomponius with senatorial approval arranged for the expulsion of Greek philosophers and rhetoricians from Rome (Gell. *NA* 15.11.1; Suet. *Gram.* 25.2, with Kaster 1995: 272); in 154 the *consularis* P. Cornelius Scipio Nasica opposed the censors' project, a Greek-style stone theater, then under construction in Rome; the initial work was later destroyed (Broughton, *MRR* 1.449). For discussion and further sources, see Champion 2004a: 57–62, 217–18.

³² According to Cicero (*Acad.* 1.45–46; cf. 2.7; 2.60; *NatD.* 1.5.11–12), Arcesilaus developed and Carneades continued what was to become the standard Academic format of "speaking from both sides," according to which he argued both for and against any given thesis. Interestingly, Cicero also claims (*Acad.* 2.60; cf. 2.8–9), that a principal motive for *in utramque partem disputare* was to weaken the influence of the speakers' authority, thus allowing for an unbiased philosophical evaluation. For Aristotle's influence on this practice, see Cic. *Tusc.* 2.9; *De Orat.* 3.71, 80, with Glucker 1978: 33n.79; 256n.1; Brittain 2001: 335–36. Some form of the technique went back at least as far as Protagoras (D.L. 3.38; 9.55).

³³ See Champion 1997a: 114–15, and literature cited there, and my reservations in Chapter 3, section 3.

³⁴ D.L. 4.76; Cic. *Acad.* 2.139. Clitomachus' contemporary Metrodorus of Stratonicea claimed that he was the only student of Carneades who completely understood the master's philosophy (*Index Academicorum* XXVI, 4–11 [Dorandi 1991: 163]; Cic. *Acad.* 2.16, with Glucker 1978: 75–81). Carneades himself had a higher opinion of Clitomachus' abilities (Cic. *Or.* 51).

Lactantius drew on a passage now lost, just over a century after the event. Lactantius himself was writing some three-and-a-half centuries after that.³⁵ Yet Quintilian also gives the story of Carneades' speeches on justice and injustice in Cato's presence.³⁶ It is quite possible that Cicero's *Republic* was the common source for both Quintilian and Lactantius, but this cannot be proved. Alternatively, Quintilian may have drawn on an independent source.

While the literary tradition on Carneades' orations does not inspire a great deal of confidence, recent scholarly arguments against their historicity are not in themselves compelling. Both Erich Gruen and Jean-Louis Ferrary have opposed historicity on grounds of the diplomatic situation facing the philosophical embassy.³⁷ According to both scholars, any overt criticism of empire on Carneades' part would have been impolitic in the extreme. The purpose of the mission, after all, was to mollify, not to antagonize, the Romans.³⁸ I argue, to the contrary, that we may view Carneades' speeches as a strategy that was in line with the embassy's objectives. Athens had been heavily fined for seizing a small town on its borders. Carneades may have questioned whether Athens was to be judged by different standards from Rome in expanding its sphere of influence.³⁹ Moreover, another intense diplomatic situation occurring some thirty years earlier suggests that the idea of Carneades' indirect or explicit reference to Rome's empire in terms of justice and injustice is not as improbable as Gruen and Ferrary have suggested. In 184, the Achaean statesman Lycortas, father of the historian Polybius, sought concessions from the Romans on the seemingly interminable question of incorporation of Sparta into the Achaean Confederation. Lycortas presented a speech before the Roman commissioner Ap. Claudius Pulcher in which he stated that he knew he was speaking as a slave to a master and asked why, if Achaea and Rome were indeed equal allies, he could not just as well ask the Romans to explain their seizure of Capua, as they were now asking the Achaeans to explain their actions at Sparta. Lycortas, therefore, provided a precedent for outspoken criticism of Romans on the part of a Greek statesman who sought concessions from them. Both the speeches of Lycortas and Carneades would have had the effect of pressuring the Romans through public transcripts to live up to their own self-proclaimed virtues of fairness and equity.⁴⁰

³⁵ Understanding Carneades' philosophical position is further complicated by the fact that we must rely largely on Cicero's *Academica priora* and *Academica posteriora* in reconstructing it, and Cicero's Latin translation sometimes obscures distinctions in the original Greek arguments; see Brittain 2006: xxxix–xlii.

³⁶ Quint. *Inst.* 12.1.35.

³⁷ Gruen 1984: 342; Ferrary 1988: 351–63.

³⁸ Contra Capelle 1932: 86–88; Fuchs 1938: 2–5; Champion 2004a: 197–98.

³⁹ So, rightly in my view, Atkins 2000: 494.

⁴⁰ Lycortas: Liv. 39.37.10–13 (cf. Broughton, *MRR* 1.376–77). For Greek rhetorical strategies in the international political arena as subaltern negotiation in the face of superordinate power, see Ma 2002; Erskine 2007 (with assembled references at 283n.6); cf. Low 2007. For ideas about “hidden

In historical terms, therefore, there is no compelling reason to reject the tradition on Carneades' speeches on justice and injustice at Rome. The rhetorical strategy of the paired speeches would have been straightforward enough—Athens must not be judged by different standards from Rome in expanding its influence—and Lycortas had provided a precedent for Greek statesmen's voicing sharp criticisms against Roman policy when they were seeking concessions from the senators. If we were to accept that Carneades' rhetorical performances involved his arguing on consecutive days on either side of the question of justice, then we could entertain the philosophical grounds on which he had done so, and perhaps gain insights into Roman elites' entertaining religiously skeptical or ambivalent positions regarding the gods. Unfortunately, the uncertainty of the tradition on Carneades' speeches on natural justice simply does not inspire enough confidence to justify further exploration of them as historical events.⁴¹ It is enough, however, to accept that Carneades and his fellow ambassadors gave showpiece speeches to Roman elite auditors; that in the case of Carneades Academic skepticism would have been on full display; and that at the very least the implications of his arguments would have challenged the grounds on which Roman religious institutions rested.⁴²

Carneades' audience would therefore have likely been exposed to acute skepticism regarding all forms of knowledge, including knowledge of the gods. We should of course note that senators' interest in and levels of understanding of abstruse Greek philosophical doctrines would have varied widely. Some would have been relatively cosmopolitan, devoted Hellenists and would-be philosophers, such as the translator C. Acilius, probably the same man who wrote a Roman history in the Greek language, and who raised Cato's scorn for his zeal in serving as translator and advancing the Athenians' case in 155.⁴³ Q. Mucius Scaevola, a pupil of the Stoic philosopher Panaetius, serves as another conspicuous example. Others are the consul for 151, A. Postumius Albinus, whom both Cato and Polybius castigated for his Hellenic pretensions; and in the following generation, Q. Caecilius Metellus Numidicus, consul for 109, as a youth had heard the aged Carneades lecture in Athens.⁴⁴

At the other end of the spectrum would have been those relatively culturally boorish senators who actually required a translator in 155 (I assume that

transcripts" and subaltern strategies, which have helped me to think through the political force of Carneades' speeches, see Scott 1990; for these ideas and Polybian historiography, see Thornton 2013a and 2013b.

⁴¹ See Powell 2013.

⁴² For Carneades' religious skepticism, see Cic. *Div.* 1.49.109; cf. 2.3.9; 2.72.150; *NatD.* 1.2.4.

⁴³ For Acilius' fragments, see Cornell, *FRH* 2.272–81; Cato's scorn: Plut. *Cat. Mai.* 22.4–5.

⁴⁴ Albinus: Polyb. 39.1.1–12; Cato, *FGrH* 812 F 1b; Metellus: Cic. *De Orat.* 1.75; 3.68; Cornell, *FRH* 1.185–90.

this requirement was more than cultural posturing), but even in the case of committed Philhellenes, we should not overestimate the level of intellectual refinement. At least this is the impression created by Cicero's statement that when Carneades and Diogenes were waiting for an audience with the senators on the Capitolium, the praetor A. Postumius Albinus, apparently puzzled by the notion of the skeptical mandate to withhold assent, asked Carneades, "Is it your notion, Carneades, that I am not a praetor, this isn't a city, and there aren't any citizens in it?" Albinus' *reductio ad absurdum* could of course have been uttered in jest, or sarcasm, or even disgust, but it does not at face value inspire confidence in the Roman official's philosophical sophistication.⁴⁵ But regardless of the level of Roman elites' understanding of intellectual fine points of the Greek rhetorical and philosophical exhibitions in 155, the crucial points for our purposes are that some senators were exposed to an extreme form of rational skepticism, that they were to some degree able to engage with such ideas, and that they were thereby presented with a philosophical/theological dilemma. On the one hand, a number of senators must have understood the theological implications of radical philosophical skepticism, and on the other they apparently went about their painstaking business regarding exacting ritual prescriptions demanded by religious orthopraxy.⁴⁶

Psychological studies suggest that our problem may be more apparent than real, as we may tend to assume that people operate with a unified and consistent set of attitudes and beliefs. The social cognition approach in psychological research indicates that this is simply not the case, and its findings run counter to older "consistency theories." In a recent study on attitudinal ambivalence, Klaus Jonas, Philip Broemer, and Michael Diehl have shown how "attitude objects" can be viewed both positively and negatively by the same person at the same time; that is to say, individuals can exhibit a "temporal stability of ambivalent attitudes." A particular variant of attitudinal ambivalence, affective-cognitive ambivalence (or "heart vs. mind conflict") can help us to think about Roman elites listening to Carneades' lectures. They were perhaps drawn in by the intellectual fascination of Academic skepticism, but this fascination was sequestered from their affective attachments to and conditioning of orthopraxic prescriptions in the field of religion. Situations and environmental cues turn out to be more important in influencing behavior than any putatively one-dimensional attitude. In other words, social

⁴⁵Cic. *Acad.* 2.137; cf. Gell. *NA* 6.14.8–10; Plut. *Cat. Mai.* 22–23. Carneades' alleged retort, *huic Stoico non videris* ("No, that's his, the Stoic, view"), would further suggest that Albinus had a poor understanding of the debate. It is noteworthy that Cicero observes that Albinus was a rather learned man who had written a history in Greek; this is the same man whom Polybius mocked for his Hellenic aspirations (Polyb. 39.1.1–12). Cicero admits that his interlocutors in the *Academica* were not nearly as philosophically-sophisticated as he made them out to be (*Acad.* 2.5–6; *Ad Att.* 13.12.3; 13.16.1; 13.19.3–5).

⁴⁶On the evidence of Cicero (*NatD.* 3.12.29–17.44), Carneades came close to denying the existence of the gods in arguing that no sentient being can be everlasting.

and cultural contexts are largely determinative of which of the conflicting attitudes will be operational and thereby find expression in a given situation.⁴⁷ As Jonas, Broemer, and Diehl state, "Because ambivalent people have positive *and* negative beliefs regarding the same attitude object, their attitudinal responses should vary to a relatively high extent between a context that makes positive beliefs salient and a context that makes negative beliefs salient."⁴⁸

We can build on these insights in order to understand how religious authorities went about their business and what their ritual practices meant to them, viewing accumulative civic polytheism as a religious system characterized by Veyne's "plurality of modalities of beliefs." Here the sociological theory of Gouldner, with the idea of "functional autonomy," and the anthropological theory of Sperber, with its "rationalist approach" to "apparently irrational beliefs," allow us to see the contingent and contextual nature of belief-systems.⁴⁹ As Gouldner pointed out, "[I]t is of the essence of social roles that they never demand total involvement by the actors, but only segmental and partial involvement."⁵⁰ So, to think in familiar terms, the devout Roman Catholic, for example, may not be as engaged with religious preoccupations when in the midst of a practical problem in the workplace as she is when in confessional. In the case of the priest carrying out a public sacrifice, the gods demanded the highest level of religious intensity and concentration in that ritual context; but in other contexts that intensity and concentration could be relaxed. Pushing this idea further and drawing on the work of Veyne, Denis Feeney has referred to the capacity for this sort of interiorized compartmentalization as the "balkanization of the brain."⁵¹

These psychological, anthropological, and sociological studies can help us to understand Roman elites in attendance at Carneades' demonstration of skeptical Academic philosophical and rhetorical virtuosity. Many of the attendees, it hardly needs saying, would have been priests. Just as we have argued that Cato's alleged quip about *haruspices*, Lucilius' mockery of iconographic representations of the divine, and Ennius' *Euhemerus* should all be understood in their social, cultural, and (in the two latter cases) literary contexts, so we must place this instance of elites' engagement with (implied) radical theological skepticism in its discrete social and cultural contexts. And we need not think that this kind of psychological compartmentalization was

⁴⁷ On this point and the "Situating Focus Theory of Power," see Guinote 2008.

⁴⁸ Jonas, Broemer, and Diehl 2000: 55; the theory of attitudinal ambivalence finds physiological support in the famous study of McCulloch 1945, on "dromes" and "diadromes" in neural networks (discussed in chapter 2, section 2).

⁴⁹ Gouldner 1973: 190–225; Sperber 1985: 35–63.

⁵⁰ Gouldner 1973: 210. Cf. the definition of religion in Rüpke 2015b: 5, "[T]he temporary and situational enlargement of the environment—judged as relevant by one or several of the actors—beyond the unquestionably plausible social environment inhabited by co-existing humans who are in communication (and hence observable)."

⁵¹ Feeney 1998: 14–21.

an elite monopoly: nonelites probably engaged in the same sort of intellectual and emotional sequestering at the time of the Saturnalia, or when they saw the gods depicted in comic guise in theatrical performances.⁵² As far as elites are concerned, we can note that in Cicero's *De Natura Deorum*, Cotta explicitly says that he wants to hear Balbus' Stoic arguments about the gods, but that he, as a pontiff, will adhere to the principles of the state religion with no need of philosophical proof.⁵³

Interestingly, some psychological research indicates that powerful individuals, such as Roman senators, are the most likely to root cognitive processes, attitudes, and behaviors in specific, highly situational, environmental cues.⁵⁴ In response to Cato's witticism about *haruspices*, we can well understand why priests, exposed to rationalizing discourses concerning the gods, would *not* have laughed when encountering one another. Moreover, psychological research suggests that the induction of hypocrisy has its greatest effect of motivating behavior changes when people who publicly advocate normative injunctions (in our case, adherence to the demands of orthopraxy) are privately reminded of their own failings to live up to the target behavior (semi-public engagement with radical skepticism).⁵⁵ In this case, if we are right, we would have to call the setting for Carneades' lecture semi-public/semi-private (the gathering of elites at the house of a senator), so that the atmosphere would have been highly charged with the elements making for cognitive dissonance. However, the ideas of attitudinal ambivalence and situational context from social psychology suggest that, in this case, such apparent hypocrisy may have been a nonstarter. Let us now turn to a somewhat more complicated case, in which the stakes were higher.

II. COGNITIVE DISSONANCE AS NONSTARTER: SCIPIO AFRICANUS, *IMPERATOR* AND SALIAN PRIEST

The theory of attitudinal ambivalence, with its emphasis on social contexts, can take us only so far. In preceding chapters, we have considered several areas of elites' religious behaviors for which this theoretical approach is inadequate. We might think, for example, of the general waiting for propitious signs from sacrificial victims before committing his troops to battle; the tradition of the field commander sacrificing himself in battlefield crises by the

⁵² See, for example, Galinsky 1966, on Scipionic allusions in Plautus' *Amphitruo*; and Horsfall 2003: 41 and n.55, on non-elites' rather sophisticated discrimination as theater-goers.

⁵³ Cic. *NatD.* 3.2.5–6.

⁵⁴ Guinote 2008: 238, "[P]ower increases the ability to process information selectively, and consequently the ability to behave in focused, prioritized ways in line with the factors that drive cognition in the situation (e.g., affordances, expectancies)"; cf. Weick and Guinote 2008.

⁵⁵ See Stone and Fernandez 2008; for a powerful argument for the validity of using this sort of approach to human cognition transhistorically and transculturally, see also the discussion on the "psychic unity of mankind" (*sic*) at Geertz 1973: 61–69, esp. 62 and 69.

ritual practice of *devotio*; the mournful sacrifice of an elite's daughter, who as Vestal Virgin was convicted on a charge of unchastity; or the public human sacrifices in the Forum Boarium in times of (perceived) imminent military disaster. In each of these cases, it is difficult to imagine that elites engaged in these religious behaviors solely because of the dictates of the situation, and that they would have been able to drop the attitude underlying those behaviors in other situational contexts. Indeed, to think that the general awaiting favorable indications from animal sacrifices before commencing battle might, in another social context, have believed that ritual sacrifice is merely a charade, or that a senator who had lost his daughter in a sexual scandal in the college of Vestals could, in other situations, feel that the Vestals' chastity was of no import, would be patently absurd.

In cases such as these, the psychological theory of cognitive dissonance suggests that Roman elites believed in the gods in the sense in which I have defined "belief." As I shall argue, we can consider cognitive dissonance as complementary to the psychological theory of attitudinal ambivalence, but its great heuristic value for present purposes lies in an experiment in counterfactual historical thinking; that is to say, when we take the theory of cognitive dissonance and then operate under the assumption that elites were indeed elite-instrumentalists, pure and simple. Let us again consider the slim evidence for elite skepticism in religious matters in our period, which seems to be radically dissonant with elites' well-attested, careful observances of the minutest demands of orthopraxy. An elite-instrumentalist interpretation might seem to allow us to find a way out of our quandary: Roman elites could behave in this way because, à la Polybius, they were cynical manipulators of religious ritual and spectacle. But the scenarios we have just sketched have shown that approach to be wanting. The problem largely disappears, however, if we attend to situational contexts, and do not assume that these situations would have given rise to extreme cognitive dissonance in the first place.

First, let us outline the postulates of the psychological theory of cognitive dissonance. This approach to understanding human utterances and behaviors began in 1957 with the publication of a book that has become a classic in the psychological literature, Leon Festinger's *A Theory of Cognitive Dissonance*. Festinger had been asked early in 1951 to undertake a "propositional inventory" of research on "communication and social influence." With his research team he narrowed the focus of this "inventory" to work on the generation and dissemination of rumors. Reports of rumors subsequent to an Indian earthquake of 1934 provided the key to the development of dissonance theory. Contrary to expectations, rumors surrounding this traumatic event did not serve to alleviate anxieties created by the earthquake, but rather to justify them. Stories or rumors designed to assure people that the danger had passed and that all was well would have been at variance with the high levels of anxiety they were still experiencing. Rumors that were bandied about at

this time, predicting even worse disasters to come, obviously did not function to reduce anxieties. They did, however, serve to reduce psychological, or cognitive, dissonance. The full-blown theory has three basic postulates:

1. Human beings often have the psychological experience of simultaneous, co-existing dissonant, or “non-fitting,” elements.
2. This situation creates psychological discomfort, giving rise to pressures to reduce the dissonance and to avoid its increase.
3. Such psychological pressures may result in behavioral changes, cognitive changes, and “circumspect exposure to new information and new opinions.”⁵⁶

The theory has had its detractors over the years, but on the whole it has stood the test of time. Recent physiological research in modeling in neural networks, for example, seems to support it.⁵⁷ To be fair, we should note that Festinger anticipated and addressed some of the objections that were later brought to bear against his theory. He conceded, for example, that individuals exhibit varying degrees of tolerance of cognitive dissonance, and he acknowledged that there are frequently cases in which indifference leads to relative ease in position reversal. But Festinger also underscored the crucial variable of *importance* for the magnitude of cognitive dissonance.⁵⁸ Concerning the latter point, we can rest assured that none of the historical situations adduced at the opening of this section, which have been considered in detail in previous chapters, could easily be superseded in terms of importance. They therefore would have carried the potential for the greatest magnitude of cognitive dissonance.

These case studies would all appear to have been examples of acute, “conflict-type” dissonance, as Festinger would have described it, wherein tolerable dissonance is reaching its absolute limit. In such cases, to make the point concretely, the person experiencing such extreme psychological dissonance would have two options: to reduce or discontinue the behavior arousing psychological discomfort (for example, a Roman aristocrat could conceivably have ignored ritual sacrifices before battle); or to drop or modify the discomforting beliefs surrounding the behavior (for example, a skeptical ambivalence about the divinational efficacy of animal sacrifices), in order to restore some sort of psychological equilibrium. There are few examples of Roman elites exercising the first option, with a famous exception being P. Claudius Pulcher’s disregard of the divinatory signs from the sacred

⁵⁶Festinger 1957: 31.

⁵⁷Van Veen, Krug, Schooler, and Carter 2009; Sharot, De Martino, and Donlan 2009; see Cooper 2007 for the history, evolution, and impact of cognitive dissonance theory fifty years from its inception, and 51–60 for more on physiological/experiential experiments supporting cognitive dissonance theory.

⁵⁸Festinger 1957: 76–77, 267 (tolerance and indifference); 16, 37 (importance and magnitude).

chickens before the battle at Drepana, which he lost decisively, and to his own great disgrace.⁵⁹

As for the second solution, attempts to recover inner psychological states and subjective operations of historical agents are vulnerable to attack on methodological grounds. How can we claim to have recovered what an historical actor believed or thought? Our prospects here are dim, but we can focus on how some elites actually behaved in the most parlous conditions. In doing so, we soon realize that we may have wrongly framed the problem, and our observations raise a colossal question. Why should we think that the elite experienced a "conflict-type" of cognitive dissonance at all? Might it be more sensible to conclude from actual elite religious behavior that cognitive dissonance did *not* occur in these cases, at least not of the quality and not to the degree we might have expected? Of the two options we could posit on the basis of Festinger's theory, we can say that elite Romans rarely exercised the first, and that they had no need of the second, because harrowing events calling for ritual orthopraxy do not seem to have caused cognitive dissonance. To put the matter pointedly, cognitive dissonance theory may teach a negative lesson: we may not find evidence for acute cognitive dissonance among elites in the most trying of circumstances because it simply wasn't there. Rather, elite conviction as to the effectiveness of ritual orthopraxy offered psychological motivation, confidence, and comfort.

In order to pursue this line of inquiry—to explore the (negative) heuristic value of cognitive dissonance theory for understanding elites' religious practices—let us turn to a remarkable moment in military and diplomatic history, concerning Scipio Africanus' religious duties during the course of the Antiochene War. In chapter 3, we have considered the tradition on Scipio's alleged incredulity in divine matters. He comes across as the quintessential elite-instrumentalist regarding religion. But as we have argued, this representation, sometimes echoed in modern scholarship, emanates from Polybius, and there are good reasons for not taking him at his word when he is discussing Roman religion. Here we may revisit several Polybian passages in order to underscore the point. In relating Scipio Africanus's assault on New Carthage in 209, Polybius states that through rational inquiry Scipio learned of the risings and ebbing of the lagoon he proposed to cross in attacking the city, and made his plans accordingly. In Polybius' account, however, Scipio presented a far different aspect to his troops, holding out that Poseidon had suggested the idea to him, and had promised to assist the Romans in sacking New Carthage. This account conforms to Polybius' own skeptical programmatic statement on religion in Book Six.⁶⁰ In this famous passage, Polybius flatly states that the Romans are distinctly superior to all other

⁵⁹ See Broughton, *MRR* 1.214 for sources.

⁶⁰ Polyb. 10.8.6–8; 10.11.7–8; 6.56.6–12.

peoples in their approach to religion. According to him, they employ religious awe (δεισιδαιμονία) in order to intimidate and control the common people. I have proposed that this is perhaps Polybius' greatest historical distortion in his representations of the Romans, and the historical juncture we are about to examine gives weight to that assertion.

In sharp contrast with what we find in Polybius and Livy (who is following Polybius closely here), Appian maintained that Scipio's religious inspirations were genuine.⁶¹ Normally, we should be wary of preferring Appian to Polybius, but Scipio's handling of an apparent conflict between religious and military imperatives gives us pause. The incident, ironically enough, is reported by Polybius (and echoed by Livy). Scipio, the famed general who had ended the Second Punic War more than a decade before, and who had consequently assumed the title of Africanus, was serving as his brother Lucius' legate in the war against Antiochus III. Antiochus' fame preceded him, and Plutarch states that he initially gave the Romans more to fear than any man other than Hannibal, whom Scipio had defeated on the battlefield of Zama.⁶² From 212 to 205 Antiochus had campaigned in northern India (in emulation of Alexander), regained (at least nominally) Seleucid control over Iran, Mesopotamia, and central Asia Minor, and styled himself as the Great King (βασιλεὺς μέγας), after the Achaemenid Persian monarchs. In 204 or 203, he had turned his attention to the Greek cities of western Asia Minor, arousing fears and suspicions among Roman friends in Pergamum, Rhodes, and Egypt.⁶³ Antiochus' ambitions would seem to have offered a greater security risk to the Republic than had those of Philip V, and as Polybius states, "Antiochus secured his kingdom by frightening his subjects by his courage and boundless energy. As a result of this expedition he appeared worthy of kingship, not only to the Asiatics but also to the Europeans."⁶⁴ Moreover, news of a formidable pact between the Seleucid and Antigonid monarchs, struck in the winter of 203/202, for partitioning the realm of the child-king Ptolemy V had reached the Senate floor before it declared war against Philip V in 200.⁶⁵ For many senators, then, Antiochus must have seemed to present a threat nearly as formidable as Hannibal had posed.

The nominal commander of the expedition against Antiochus was Scipio's brother, Lucius, but Africanus, serving as legate, was the effective general.⁶⁶ The Scipio brothers were hastening to force a decisive military solution—especially

⁶¹ App. *Iber.* 23, ἐδόκει κατὰ θεὸν ἕκαστα δρᾶν, αὐτός τε οὕτως ἐφρόνει ("he seemed to do these things through divine assistance, and he began to think so himself"), with discussion and further references in Appian at Scullard 1930: 27.

⁶² Plut. *Cat. Mai.* 12.1.

⁶³ For Antiochus' relations with the Greek cities of western Asia Minor, see Ma 2002.

⁶⁴ Polyb. 11.34.15–16.

⁶⁵ For the pact, see Polyb. 3.2.8; 15.20; 16.1.8–9 and 24.6; cf. 14.1a.4, with Eckstein 2005.

⁶⁶ See Broughton, *MRR* 1.352 and 358 for sources.

Africanus—as Polybius tells us that he had long been eager for action in Asia.⁶⁷ Indeed, Africanus might well have expected a command against Antiochus when he was elected for 194, after Antiochus had campaigned in Thrace and had received Hannibal as an adviser at court, but the Senate determined that both consuls for that year should remain in Italy. And in 192, when in the spring Eumenes' brother Attalus arrived in Rome and informed the senators that the Seleucid king had crossed the Hellespont, the Senate again took no action, indicating that its position seems to have been to allow Antiochus to operate in the Chersonese and neighboring regions of Thrace, albeit under fierce protests.⁶⁸ It is little surprise, then, that when he had his chance in 190 Africanus quickly persuaded his brother to grant the Aetolians' request for an armistice at Hypata, thus freeing the Scipios from military obligations in Greece and allowing them to rush to Asia Minor for a showdown with Antiochus. Indeed, Polybius tells us that Africanus had been prepared to abandon the Aetolian question entirely, in the event that the Aetolians proved to be obstinately opposed to any sort of agreement, as he well knew that the object of the war was not to subjugate the Aetolians, but rather to defeat Antiochus and conquer Asia. It did not come to that, and the ensuing Aetolian armistice was valid for six months, from May to October, 190. The Scipio brothers' army reached Amphissa at the end of April in that year.⁶⁹

Africanus, however, delayed his pursuit of Antiochus for religious reasons. In the fall of 190, he was detained at the Dardanelles on his march from Europe to Asia because of his duties as Salian priest. The *Salii* were members of an ancient patrician priesthood, and Polybius considered them to be among the most important of Roman priests. The Greek historian notes that the religious period “caught Scipio,” just as his army was making the crossing.⁷⁰ The strict adherence to religious mandate is striking in this instance, since there is some evidence that Salian priests, who had to be patricians, were exempted from religious obligations upon entering magistracies, but this *vacatio* could not apply to Scipio at this time, as he was a *legatus*.⁷¹ His priestly office demanded that he perform ritual sacrifices to Mars and Quirinus in the Roman month of March, and that he remain in the place he happened to be for thirty days.⁷² Scipio's troops accordingly crossed over to Asia Minor and waited while he remained in his tent on the European side

⁶⁷ Polyb. 21.5.12; cf. Liv. 34.43.3–5, with Scullard 1970: 190–209, and notes 157, 159.

⁶⁸ Liv. 35.23.10–11, with Errington 1989: 284.

⁶⁹ Polyb. 21.4.4–5, 5.12; see Walbank, *Comm.* 3.93–94, for references and discussion.

⁷⁰ Polyb. 21.13.10–14; cf. Liv. 1.20.4; Dion. Hal. *Rom. Ant.* 2.70.1–71.4; Cic. *Dom.* 14.38 (*rex sacrorum, flamines, salii*); Wissowa, *RK*² 555–59; BNP 1.43n.126; 2.126–28 (5.4).

⁷¹ L. Furius Bibaculus was told by his father to carry the sacred shields in the Salian rites, even though his praetorship afforded him an exemption: Val. Max. 1.1.9 (*vacationem huius officii honoris beneficio*), with Wissowa, *RK*² 480n.2; cf. Scullard 1973: 284–85; Broughton, *MRR* 1.358. On the uncertain date of Bibaculus' praetorship, see Brennan 2000: 664.

⁷² See Derow 1973, with the table at 348–49.

of the Hellespont, probably from 20 October to 17 November (Julian). This was more than a month after Antiochus had suffered the crippling blow of a naval defeat at Myonnesus, fought in September.⁷³ It is difficult to explain Scipio's strict observance of his duties as Salian priest in terms of military strategy. We might suppose that Scipio was stalling for time in order to give his coalition forces, Rhodes and Pergamum, more time to mobilize.⁷⁴ Several observations, however, make it difficult to follow such an interpretation. Antiochus had been soundly defeated in a naval battle that occurred several weeks earlier, the Romans and their allies enjoyed the momentum of that victory, and Polybius explicitly says that at this moment the king was crushed in spirits and sent an embassy to the Scipios begging for peace.⁷⁵

The military and diplomatic circumstances, then, would seem to have called for Scipio to take immediate military action. As for the idea that he was buying time, and marshalling his allied forces, we should note that Scipio's way was generally not one of caution. Indeed, he was criticized for his rashness earlier in his career by Q. Fabius Maximus Cunctator, and was often contrasted with the "Delayer" in his daring approach on military campaigns. For example, although it is clear that he took care to conduct reconnaissance missions before his operation against New Carthage in 209, his surprise attack on the Carthaginian capital in Spain was one of the boldest strokes in the annals of Roman military history, while the burning of the Carthaginian and Numidian camps in the Battle of the Great Plains near Utica in 203 was no less audacious.⁷⁶ At that time he left part of his forces to continue the siege of Utica, while he himself set out with some 15,000 men, and at the Great Plains he found 20,000 of the enemy waiting for him. And in 206, outnumbered by the Carthaginians at the Battle at Ilipa, Scipio had no qualms about committing to battle with his own legions, without waiting for his allies.⁷⁷ Caution was not Scipio's trademark as a military commander.

After the naval debacle at Myonnesus, Antiochus was a beaten man, crestfallen and in a mood to submit.⁷⁸ He sent Heracleides of Byzantium to the Scipio brothers, with instructions to offer the surrender of Lampsacus,

⁷³ Polyb. 21.13.10–14, with Walbank, *Comm.* 3.107; Liv. 37.33.6–7, with Briscoe 1981: 337–38. For events at sea in 191, see Liv. 36.41.1–45.8.

⁷⁴ For this suggestion, see Eckstein 2008: 329–30.

⁷⁵ Polyb. 21.13.1–7, with Walbank, *Comm.* 3.105, for additional sources.

⁷⁶ Principal sources for Scipio's Spanish campaign and attack on New Carthage: Polyb. 10.6.1–20.8; Liv. 26.41.1–51.14; 27.17.1–7; App. *Ib.* 19–24, with further sources assembled by Broughton, *MRR* 1.287; Scipio's reconnaissance before attack: Polyb. 10.7.1–9.7. Principal sources for Scipio's African campaign and the Battle of the Great Plains: Polyb. 14.1.1–10.12; Liv. 30.5.1–17.14; App. *Lib.* 19–35, and further sources assembled by Broughton, *MRR* 1.312; for Scipio's reconnoitering before the battle, see Polyb. 14.2.1–2; Liv. 30.5.1–2.

⁷⁷ Polyb. 11.20.1–29.4, with Walbank, *Comm.* 2.296–97.

⁷⁸ Cf. Polyb. 21.11.13, who states that after his diplomatic failure at Ephesus, Antiochus reasoned that he could withstand the enemy only through mastery of the sea and decided to stake everything on a naval battle.

Smyrna, and Alexandria Troas, as well as any cities that had taken Rome's part in the war. In addition, he offered to pay for half the costs of the war.⁷⁹ In a final, pathetic appeal, Heracleides offered Scipio as much money as he might want, as well as a share in the future revenue of Antiochus' kingdom. But these appeals bore no fruit, as the Scipios demanded that Antiochus pay all costs of the war, since he had been its instigator, and evacuate all of his possessions west of the Taurus mountain range, an impossible demand calculated to force Antiochus to try his chances in battle. Somewhat haughtily, we must think, Scipio informed Antiochus' ambassador that such offers might have been more compelling when the king still possessed Lysimacheia and the entrance to the Chersonese, or even after abandoning these places, if he had stood with his army in resistance at the Hellespont, but not now, when he was in such an abject position.⁸⁰

There was, therefore, no compelling tactical or strategic reason to postpone the decisive battle that the Scipios apparently believed to be unavoidable, and indeed most desirable. Moreover, the timing of the actual battle seems odd if military considerations had dictated it, since Scipio himself was conveyed to Elaea and not present during the action due to illness, with the legate Cn. Domitius Ahenobarbus formally playing the leading role (though the maneuvers of Eumenes were what decided the battle in the Romans' favor).⁸¹ It is noteworthy that a tradition reported that due to the favorable circumstances Lucius urged his brother to undertake battle on an unpropitious day for military action (*religioso die*).⁸² Religious scruples, then, could be a part of the story of Scipio's absence. In any event, military imperatives cannot provide a satisfying explanation for Scipio's religious observances at a critical moment in the war. The idea that this was some sort of elite-instrumentalist tactic with regards to the rank-and-file troops has little to commend it, as the army waited for its commander for a month—an extended period of inaction that could have done little to boost the soldiers' morale—on the other side of the Hellespont, feeding off allied resources. In summary, Scipio's behavior is nearly incomprehensible as a piece of military strategy, given Antiochus' recent debacles and gloomy resignation, and such a delay was hardly in keeping with Scipio's style as a field-commander. In Scipio's mind, it would seem, proper observance of his sacred obligations as Salian priest was key to the eventual crushing victory on the battlefield of Magnesia.⁸³

⁷⁹Polyb. 21.13.1–6, with Walbank, *Comm.* 3.105 for additional sources and discussion.

⁸⁰Polyb. 21.15.1–13; cf. Liv. 37.34.2–3, who adds that Antiochus' ambassador Heracleides had expected that the Scipios would rush upon the king's camp, leaving no room for negotiations.

⁸¹App. *Syr.* 30–36; Liv. 37.39.1–5; cf. Plut. *Mor.* 197d–e. Appian reports an incredible story that there was some sort of compact between Africanus and Antiochus according to which the latter should desist from battle until Scipio returned to the army.

⁸²Front. *Strateg.* 4.7.30.

⁸³Seguin 1974 assembles evidence for Scipio's religious behavior, arriving at conclusions similar to mine, but he takes a different line of argumentation.

Thus far this reconstruction of Scipio Africanus' campaign in Asia Minor, and the role his duties as Salian priest played in it, has been based on historical arguments, but we can adduce historiographical ones, as well, in support of the position taken here. Polybius, as we have seen in chapter 1, provides the *locus classicus* (6.56.6–12) for the idea of elites as crass manipulators of religious ritual and pageantry as a means for their political, social, and economic domination of nonelites. Indeed, we may even consider that famous passage as having given birth to the elite-instrumentalist interpretation of Roman religion. In Scipio Africanus, Polybius found the quintessentially rational, skeptical, incredulous, manipulative elite-instrumentalist regarding religious matters. Yet in the passage under consideration here, there is not a trace of such detached and pragmatically calculating motivations on Scipio's part. Rather, Polybius simply states that Scipio's religious obligations were the real reason (αἴτιον) that the army remained inactive in its camp for so long. He proceeds to refer to his treatment of the Salian priesthood in a (now lost) section of his Book Six on the Roman *politeia*, noting here that the Salians form one of the three major colleges of priests, whose duty it is to perform the principal sacrifices; and that they are forbidden to change residence at the time of the sacrifices.⁸⁴ Given Polybius' general representation of elite religious practices at Rome and his depiction of Scipio Africanus as a religious skeptic, his narration of Scipio's behavior in discharging his priestly duties at the Hellespont, with no editorial commentary or explanation, is remarkable and highly significant.

What do the foregoing historical and historiographical analyses have to do with the psychological theory of cognitive dissonance? This understudied episode in Scipio Africanus' career provides compelling support for this book's main contention: that Roman elites believed in their gods, in the sense that they held a collective conviction that proper observance of orthopraxy's demands had a direct bearing on the well-being of the empire. The preceding discussion has made an argument that elite-instrumentalism, what we know about Scipio's political and military career (and what can be inferred about his character and motivations from it), tactical and strategic considerations of the military campaign in 190, and Polybius' treatment of his hero's religious obligations as Salian priest, all fail in attempting to clarify and understand Scipio's behavior at this critical historical juncture. Another way to frame the issue is to say that we have conducted a thought experiment in counterfactual historical thinking, by working with the premise that Africanus was indeed an elite-instrumentalist and religious skeptic, and showing that premise to be unsupportable.

The psychological theory of cognitive dissonance underscores why such a thought experiment is a dead-end. The analysis has shown from various

⁸⁴ Polyb. 21.13.10–13.

perspectives that Scipio's behavior would have created a situation of acute, "conflict-type" dissonance, where tolerable levels of dissonance are reaching an absolute ceiling. In our case, according to the theory, Scipio could have eliminated the behavior causing the psychological discomfort—dallying at the Hellespont for a month—which we know he did not do, or he might have dropped or modified that behavior in order to allow another course of action that could restore psychological equilibrium—prosecution of the great victory over Antiochus without delay, which we also know he did not do. The theory, then, rather bluntly provides the only really satisfying solution to the conundrum it poses when we realize that in this case it does not apply. Scipio behaved as he did because there was no cognitive dissonance with which he had to grapple. His observance of his obligations as Salian priest were for him an integral part—and not merely in propagandistic, disciplinary, political, tactical, or strategic terms—of the proper approach to fighting the Seleucid king most likely to result in glorious military success.

III. *CARTHAGO DELENDA EST*: SCIPIO AEMILIANUS' SUPPOSED *EVOCATIO* IN SOCIO-CULTURAL CONTEXT

In the late second century C.E., Athenaeus of Naucratis completed his *Deipnosophistae* ("Banquet of Wise Men"), fifteen books of which have survived, preserving a treasure trove of excerpts from now lost sources (citing more than 1,250 authors). Among the many invaluable nuggets for which Athenaeus serves as "cover text," we have the remarkable Athenian "ithyphallic hymn" to Demetrius Poliorcetes, produced for the Antigonid prince when he returned to the city from Leucas and Corcyra in 291. Athenaeus reproduces the context of the hymn from the twentieth book of Demochares' *History*, and the actual text of the hymn from the twenty-second book of the history of Duris of Samos, as one of his many examples of flattery (*kolakeia*).

How the greatest and dearest of the gods have come to the city! For the hour has brought together Demeter and Demetrius. . . . Hail son of the most powerful god Poseidon and Aphrodite! For the other gods are either far away, or they do not have ears, or they do not exist, or do not take any notice of us, but you we can see present here; you are not made of wood or stone; you are real. And so we pray to you.⁸⁵

Following Athenaeus' lead, modern scholars have cited this famous hymn as a prime example of a jaded enervation of religious practices that had set in at Athens in the time of the Diadochi. It is hard to avoid seeing the hymn as the epitome of a hyperbolic, crass, and self-serving utilitarianism, but the prayer also underscores in dramatic fashion the logic of accumulative civic

⁸⁵ Ath. 6.253d-e, trans. Austin.

polytheism. At Rome, as John Scheid and Monica Linder have reminded us, this was to a large degree a matter of *savoir faire*, rather than *savoir penser*.⁸⁶ Religious ritual was largely a pragmatic affair. One performed it in the hope that the gods might reciprocate and grant favor to the worshipper.

There is something in the nature of formal contract in such practices, though there was never any guarantee that the gods would reciprocate and grant the worshipper's prayers. The quasi-contractual nature of Roman religion finds many parallels and is widely attested across historical time and cultures. In Christianized Europe, for example, a petitioner could even resort to various sorts of threat vis-à-vis saintly power: to withhold religious observances, to place holy relics in spaces of precarious liminality, to cast maledictory curses, or even to physically attack material representations of the saint in order to gain leverage (to the degree that leverage is possible in human interactions with the divine). For a period of about two-and-a-half centuries in Francia, from roughly 1000 to 1250 C.E., relics of saints were humiliated as part of liturgical *clamores*.⁸⁷ This might entail the deposition of the saint's relics and the cross from the church's altar being placed on the floor of the church, with prostrate clerics in humble posture uttering prayers, and beseeching the saint for alleviation from trials and tribulations. There are precedents for this kind of theological logic, perhaps most notably in the Old Testament, when Moses shows Pharaoh that his god Yahweh can deliver miracles while rival deities are impotent to do so.⁸⁸

There is nothing particularly unique, therefore, about the Romans practically bargaining with deities in order to achieve results in the world of day-to-day living. But unlike the threatening *clamores* of medieval Francia, the Roman style was more one of appeasement and negotiation, with supplemental insurance policies, as it were, effected by religious punctiliousness, ritual repetition, and seemingly unceasing additions to the pantheon of officially recognized deities.⁸⁹ Livy regularly gives notices of the Senate and its generals making bargains with the gods through vows, and such bargaining had the formalistic nature of legal contracts.⁹⁰ Practical results were what mattered. This was no less true for the individual—at every socioeconomic position—than it was at the collective, state level. There is abundant archaeological evidence from all over the Roman world throughout antiquity of *ex-voto* offerings for the restoration of health, inscriptions for influencing the

⁸⁶Linder and Scheid 1993: 49–50; see also Scheid 2005.

⁸⁷See Little 1993: 280–86, for a catalogue of manuscripts containing medieval Christian *clamores* and curse formulae.

⁸⁸See Num. 16.1–11, 16–24, 35–50 (Moses and Korah); Num. 16.12–15, 25–34 (Moses and Dathan and Abiron).

⁸⁹There is some evidence for threats against the gods in private *defixiones* from the first century C.E. onward, influenced by Egyptian elements; see Gager 1992: 6–7, and n.36.

⁹⁰On this formalistic aspect of religion in war declarations, see Watson 1993.

outcomes of competitions in public arenas and at law, conjuring tokens for business and political affairs, binding plaques for sexual and romantic objectives, and curse tablets, or *defixiones*, aimed against personal enemies, unfaithful lovers, or even charioteers of a rival factional team—and apotropaic ornaments and amulets to protect against all of these.⁹¹ Roman elites took such things seriously. The Elder Pliny explicitly stated, “There is indeed nobody who does not fear to be spell-bound by curses,” while Pliny the Younger relays a story about the exorcism of a haunted house, without a shred of incredulity.⁹² Examples of such elite attitudes on the efficacy of what we might call magic or superstition are legion, and perhaps the meager but tantalizing evidence we have for the astrology-crazed P. Nigidius Figulus, praetor in 58, religious expert, savant, and author in the Ciceronian age, sheds faint light on a man who may not have been such an anomaly in his passion for astronomical, magical, and astrological pursuits.⁹³ We can also mention in this context Ap. Claudius, Cicero’s colleague in the augural college, who consulted fortune-tellers, necromancers, and mediums.⁹⁴

Our primary concern, however, has been with elites’ religious behaviors at the state level and in the public sphere, and I have maintained that actions of the Senate and magistrates concerning religious matters at this level were informed by the conviction that orthopraxy sometimes bore concrete, practical dividends. But as in the case of the *clamores* and negotiations with the divine through relics of medieval Francia, divine favor sometimes needed coaxing, and in the Republic, in times of religious strain, new deities could be added to the pantheon—the official, collective behavior I have called accumulative civic polytheism. Elites’ control of interactions and intercessions with the gods was of paramount importance to them, and it was essential for the senatorial aristocracy to attempt to curb any conspicuous, collective access to the divine that stood outside of the formal *res publica*, and to oversee and legitimate any new additions of officially recognized deities.

Nowhere is elite obsession with religious self-control more striking than in accumulative civic polytheism generally, and in the tradition on *evocationes* of field commanders in particular.⁹⁵ There really was no set religious policy at Rome, but rather religious decisions were frequently made on an ad hoc basis. Consequently, republican elites’ religious practices were messy, inconsistent, incoherent, overlapping, and redundant. At the same time, however,

⁹¹ See Gager 1992, for discussion and collected texts.

⁹² Plin. *HN* 28.4.19, *defigi quidem diris deprecationibus nemo non metuit*; Plin. *Epist.* 7.27.

⁹³ Nigidius Figulus was the most learned man of his generation, next to Varro, according to Gell. *NA* 4.9.1; see Kroll 1937; Dickie 2001: 168–72. Cf. Gager 1992: 244, on binding spells and curses, “First and foremost, it is now beyond dispute that nearly everyone—99 percent of the population is not too high an estimate—believed in their power.”

⁹⁴ Cic. *Div.* 1.58.132; cf. 1.47.105.

⁹⁵ On *evocationes*, see Basanoff 1947; Le Gall 1976; Blomart 1997; Gustafsson 2000.

we have seen how important it was for elites to act as if all official religious measures were taken in accordance with ancestral practices. Once we accept this much, it becomes much easier to understand that Etruscan *haruspices* and *galli* were respected by state authorities as religious experts but remained non-Roman foreigners, while Greek priestesses of Ceres were naturalized as citizen women; or that the cult of the Magna Mater, perhaps the strangest of all with its cacophonous throng of priestly *castrati*, had its temple in the heart of the city on the Palatine, while tamer foreign cultic imports were generally kept outside of the *pomerium*. Indeed, some ancient ritual practices of the Latins were never brought into Rome, but instead were celebrated in their original abodes in Lanuvium, Lavinium, and at Alba Longa.⁹⁶

Evocationes conformed to the logic of accumulative civic polytheism, but there is no reason to think there was a standardized ritual for them, despite the formulaic prayer Livy gives to the dictator Camillus to lure Juno Regina away from doomed Veii.⁹⁷ We should nonetheless expect that the *evocatio* ritual would have been conducted as if it conformed to the most ancient of religious precedents. It is with such an understanding that we should approach the tradition on P. Scipio Aemilianus' *evocatio* of Juno Caelestis (the Carthaginian goddess Tanit) from Carthage in 146. Carthage was, of course, the Republic's arch-nemesis, and the commander who should finally conquer and destroy the coastal city on the Gulf of Tunis would outstrip all predecessors in military renown; perhaps even the great Africanus himself, conqueror of Hannibal. We can only begin to understand fully the import of Scipio's alleged *evocatio* at Carthage by placing it in the context of senatorial politics at the time and Scipio's political career and religious interests.

When Scipio Aemilianus sailed as consul-elect to Africa in the early months of 147, his reputation was still to be won, and he must have been eager for a rapid sacking and destruction of Carthage, before he could be recalled home and watch the glorious prize of this unprecedented opportunity fall to another. Indeed, upon his arrival he was confronted with the discomfiting news that the naval commander, L. Hostilius Mancinus, was actually already inside the city walls, having landed troops in the coastal suburb of Megara.⁹⁸ In the end, Scipio would have to extricate Mancinus from a difficult situation, but his first strategic task was to build an elaborate blockade around Carthage, including the construction of a giant mole to choke off

⁹⁶Cf. Liv. 5.52.8, Camillus remarks that the *maiores* handed down certain rites, which must be performed on the Alban Mount or at Lavinium. A temple to the Lanuvian Juno Sospita was erected in Rome in 194 (Liv. 34.53.3), incorrectly naming the goddess Juno Matuta; Livy gets it right in reporting the vow made by C. Cornelius Cethegus in 197 (32.30.10). Yet the rites for Juno Sospita were still performed at the sanctuary in Lanuvium (see Cic. *Mur.* 90), just as the *feriae Latinae* were celebrated on the Alban Mount.

⁹⁷Liv. 5.21.3–4, with Orlin 2010: 36–41.

⁹⁸Mancinus' position became perilous, and he was rescued by Scipio: App. *Lib.* 113–114; Zonar. 9.29, with Astin 1967: 70–71, and 71n.1.

the city from its harbors. This was a long and arduous undertaking, without any appreciable signs that the Romans were making headway until autumn, when Scipio captured the crucially important stronghold at Nephesis. Polybius makes it clear that time was a determining factor in Scipio's negotiations with Hasdrubal, as he was worried about the upcoming consular elections and the possibility that he might be replaced before he could bring the war to a successful conclusion.⁹⁹ As it turned out, these concerns were unfounded, since the senators did not replace Scipio in the African command with either of the consuls for 146, Cn. Cornelius Lentulus or L. Mummius.

Scipio began the final assault against Carthage's starving population. C. Laelius gained a foothold within the city walls, and then followed horrific scenes of street fighting, the fall of the Carthaginian commander Hasdrubal, and the self-immolation of others, who had resisted until the bitter end, in the conflagration of the temple of Esmun. It had been a most difficult siege, with frustrating periods of stagnation, and consequently Scipio's support and popularity in Rome will have waned in the absence of any spectacular news of success. Moreover, the censors elected in this year, L. Cornelius Lentulus Lupus and L. Marcius Censorinus, were hardly his staunch supporters. Yet in the end, it would be Scipio's lot to witness Carthage's final destruction and see the city go up in flames, eliciting the famous tears and reflections on the mutability of Fortune and the likelihood that Rome would itself someday suffer a similar fate, at least according to Polybius' romanticized account.¹⁰⁰ But for many months this outcome was far from certain. Indeed, Q. Caecilius Metellus Macedonicus, Scipio's political ally, would soon be replaced by L. Mummius as commander in Greece. He, and not Metellus, would stamp out the rebellion of the Achaean League, and preside over the sacking of Corinth, perhaps as a result of Mummius' desire to stage the destruction of a venerable city to rival Scipio's sacking of Carthage. In terms of his political standing back in Rome, Scipio Aemilianus must have been adopting a defensive posture. These circumstances would have weighed heavily on his mind as he conducted the siege, and they form the backdrop against which we should try to understand the possibility of an evocation of the Carthaginian tutelary goddess just before the city's fall.

In order to assess the tradition on Scipio Aemilianus' *evocatio* of Juno Caelestis at Carthage, to weigh the arguments for and against its historicity, and finally to consider what the story contributes to our understanding of elites' religious practices during the Middle Republic, we must further examine the political and military preliminaries to the dramatic sacking of Carthage in 146. Much like his adoptive grandfather, the great Africanus, Scipio Aemilianus was an astute and crafty politician, and a master of fashioning his

⁹⁹Polyb. 38.8.2–4; cf. Diod. 32.22 (Scipio's offer to Hasdrubal and his family); Zonar. 9.30 (offer of Hasdrubal's immunity).

¹⁰⁰App. *Lib.* 132; Diod. 32.24; Polyb. 38.21, with Astin 1967: 282–87.

own public image. Moreover, he was steeped in Hellenism and would have been conversant with Greek rationalizing critiques of popular religion. After all, he spent considerable time with the likes of Polybius and Poseidonius, and according to Cicero, he attended, along with C. Laelius and L. Furius Philus, the virtuoso oratorical performances in 155 of the Academic skeptic Carneades and his fellow Athenian philosopher-ambassadors.¹⁰¹ Here, then, in the person of P. Cornelius Scipio Aemilianus, perhaps more than any other Roman aristocrat, we should expect to find the crass and incredulous manipulator of religious rituals and symbols, the skeptical elite-instrumentalist for whom religion was no more than a means to political victories and pre-eminence in the state. Moreover, it is not only Scipio Aemilianus' individual career, but also the whole tenor of Roman politics from the 150s through the 130s that make Scipio's story a compelling one for our purposes. In the years leading up to the climactic moment in 146, we find evidence for a general disregard and flouting of political conventions, moral traditions, and even established law at Rome, with Scipio Aemilianus seemingly capitalizing on such contraventions in an unprecedented manner.

Two extraordinary events in the 150s illustrate the unsettled tenor of the times, and suggest that as imperial arbiter the senatorial aristocracy had lost its way. The Senate had turned a blind eye to the escape from Rome of Demetrius I Soter, heir to the Seleucid throne.¹⁰² The senators were indifferent to this development until 153/52, when they endorsed Demetrius' rival, Alexander Balas, who claimed to be a son of Antiochus IV Epiphanes, and who was completely incompetent, a man whose brief reign plunged the region into further chaos.¹⁰³ A few years earlier, in 158/57, the senators responded to appeals from the people of the island of Issa and the Daorsi in Illyria, who protested against marauding activities of Dalmatian corsairs. They had overlooked such complaints for a time, but took action after their investigatory embassy received rough treatment at the hands of the Dalmatians. There was, then, just cause for taking military action, but if we are to credit the account of Polybius, the senators finally moved on this front because they believed it had been too long since they had demonstrated their military power along the Illyrian Adriatic coast and the legions needed the experience of actual warfare. They held out that they were avenging the treatment of their ambassadors, but Polybius insists that these were their real motivations.¹⁰⁴

¹⁰¹ Cic. *De or.* 2.154–55; P. Cornelius Scipio Aemilianus, C. Laelius, and L. Furius Philus were auditors of the philosophical embassy; these men always surrounded themselves with the most learned Greeks.

¹⁰² Polyb. 31.11.1–15.12.

¹⁰³ Polybius (33.18.11–12; cf. 33.15.1–2), claims that the senators were charmed by the worthless representative of Alexander Balas, a certain Heracleides, so that they supported this pretender. For Balas' own depraved character, see Diod. 32.9c; 33.3; Liv. *Per.* 50; cf. Diod. 31.32a. For a more generous assessment of Rome's neglect of Syrian affairs at this time, see Gruen 1984: 663–70, esp. 666–70.

¹⁰⁴ Polyb. 32.9.1–5, 13.1–9, with Gruen 1984: 430–31.

Even in the historical context of such jaded, self-serving behavior on the part of the senatorial ruling class as a whole, the career of Scipio Aemilianus stands out. He became a major political force for more than fifteen years, at the very least from the time of his consulate in 147, though his standing slipped somewhat in the last few years before his sudden and unexpected death in 129. Although in cultural terms the old idea of a "Scipionic circle," constructed almost solely on the basis of Cicero's *De Amicitia* and *De Re Publica*, has been rightly criticized and discredited, in the political sphere there was no one with more clout in these tumultuous years.¹⁰⁵ His election as consul was in blatant disregard of the *cursus honorum*; in 148 he was five years or more below the requisite minimum age to stand for the consulship, and he had not yet been elected praetor. Indeed, he had yet to serve as aedile, for which he presented himself as a candidate in the elections of this year.¹⁰⁶ But in the swirl of horrifying reports of military failures in Spain and under enormous popular pressure, he was returned as consul for 147. Like Marcellus' third consulate in 152, Scipio's was in violation of the *lex Villia Annalis* of 180, and it ran roughshod over the legal prerequisite of the praetorship.¹⁰⁷ Moreover, Scipio's extraordinary election took place in the face of an unwilling presiding consul and Senate.

Scipio Aemilianus' unorthodox and opportunistic political career makes his case the litmus test *par excellence* for critiquing elite-instrumentalist interpretations of elites' religious practices. According to Polybius, Aemilianus was driven by an extraordinary ambition for establishing his reputation in terms of temperance, generosity and financial integrity, noble virtue, courage, and military renown—all of which he successfully exploited in order to gain notoriety and popularity.¹⁰⁸ Aemilianus, in Polybius' representation, exhibited similar motivations in his behavior as did Africanus, who was consumed by the same thirst for primacy among his compatriots in terms of honor and glory, as his exploits at New Carthage clearly showed.¹⁰⁹ In Scipio Aemilianus' case, there was even a tradition that he and his associates had propagated the

¹⁰⁵ Zetzel 1972 summarily criticized the existence of a "Scipionic circle" based on Cicero's dialogues; for Scipio's formidable political influence, admittedly weakened as the years went on by opposition of the Metelli, Caepiones, Cottae, Claudii, Lepidi, Fulvii, and Mancini, see Gruen 1968: 8–44.

¹⁰⁶ Cf. Astin 1967: 63, "The idea was constitutionally outrageous, not to say absurd, yet it was accepted and acted upon by a large section of a notoriously conservative people."

¹⁰⁷ The *leges Aelia et Fufia*, which seem to have placed a ban on special legislation in the time period between the announcement and holding of electoral assemblies, were most likely a reaction to Scipio Aemilianus' improbable consular victory for 147; see Astin 1964, and further references assembled by Champion 2004a: 212n.31.

¹⁰⁸ Polyb. 31.25.2–8; 35.4.8 (σωφροσύνη; cf. Diod. 31.26.6–27.1; Cic. *Off.* 2.76); Polyb. 31.25.9–28.13 (μεγαλοψυχία; cf. Diod. 31.27.17; Cic. *Off.* 2.76); Polyb. 31.29.1–12; 35.4.1–5.1 (ἀνδρεία; cf. Diod. 31.27.8). According to Plut. *Mor.* 199f (cf. *Mor.* 659e–f), Polybius advised Aemilianus never to leave the forum without having made the acquaintance and securing the friendship of someone with whom he had spoken; see Astin 1967: 26–34.

¹⁰⁹ Polyb. 10.2.1–20.8.

idea that only he, as the heir of Aemilius Paullus and Africanus, would be able to take Carthage, as if by some divine mandate.¹¹⁰ Early on in Scipio Aemilianus' consular year, his colleague, C. Livius Drusus, asked that lots should be cast in allocating the consuls' provinces. This proposal led to a tribunician proposal that the People decide.¹¹¹ Scholars have seen all of this as a bit of political theater, staged to highlight the popular will that Aemilianus should have the African command.¹¹² It may even have been the case that in the latter part of 147 Livius supported the ratification of a legislative proposal to send out commissioners to arrange for the settlement of Africa; presupposing imminent victory and thereby forestalling the appointment of a successor who might steal Aemilianus' glory as the conqueror of Carthage.¹¹³

Scipio Aemilianus, therefore, largely through the representations of Polybius and the dubious tradition of an enlightened, skeptical "Scipionic circle," emerges as the most likely of elites to fill the bill for the elite-instrumentalist interpretation of elites' religious practices. On several counts, however, such an approach to Aemilianus is found to be wanting. First of all, there is Polybius' portrait of him, which warrants comparison with the Polybian image of Scipio Africanus. Polybius' representation of the latter includes discussion of his manipulative uses of religious superstition in order to garner favor with the populace at Rome and to control his rank-and-file soldiery while on campaign.¹¹⁴ There is nothing of the kind in his depiction of Scipio Aemilianus, a striking absence in Polybius' narrative.¹¹⁵ On the contrary, Aemilianus emerges only by way of implication in Polybius' history (especially as a result of Africanus' and Aemilianus' parallel functions as paragons of pristine virtues in times of encroaching deterioration) as a level-headed, skeptical rationalist, goaded on by an aristocratic drive for astounding achievements, who would probably have concurred with Polybius' own famous programmatic statement about the function of religion as a curb on the masses.¹¹⁶ But the important point is that Polybius never, in the extant text at least, explicitly says that this was the case.

Other literary evidence suggests that Scipio Aemilianus was deeply concerned with the maintenance of the *pax deorum* and seriously engaged with

¹¹⁰ App. *Lib.* 109; cf. 104 (δαμόνιον).

¹¹¹ App. *Lib.* 112; Liv. *Per.* 50; Val. Max. 8.15.4; Broughton, *MRR* 1.462. See Münzer (1920) 1999: 214–216.

¹¹² Cf. Münzer (1920) 1999: 215, "Livius's demand that the provinces be assigned by lot was certainly not meant seriously, but specified only to preserve form."

¹¹³ CIL 1² II, no. 585.81 (*lex agraria* of 118), referring to *Xvirei quei ex [lege] Livia createive fuerunt* ("a board of ten who were established by Livius' law"), who are likely to be identical with the decemvirates mentioned by App. *Lib.* 135, with Astin 1967: 74 and n.1.

¹¹⁴ For discussion and sources, see chapter 3, section 3; cf. Seguin 1974: 14.

¹¹⁵ For Polybius' omissions and silences on elites and religion at Rome, see Vaahtera 2000, who does not take account of his refusal to tell us much about Aemilianus' views on religion.

¹¹⁶ Polyb. 6.56.6–12. For the parallels between Scipio Africanus and Scipio Aemilianus in narratological terms in Polybius' history, see Champion 2004a: 144–69.

religious orthopraxy and its minutest, most detailed prescriptions. In 145 C. Licinius Crassus, the tribune who began the practice of addressing the People in the forum directly, issued a proposal for allowing popular voting to provide new priests as they were needed in the priestly colleges. He was stoutly opposed in this matter by C. Laelius, Scipio Aemilianus' close friend and advisor, and a model augur, who was serving as praetor in this year.¹¹⁷ In this maneuver, the religiously conservative Laelius and Scipio (men who, incidentally, can only appear as conservatives of any stripe in light of the aftermath of Tiberius Gracchus' incendiary tribunate in 133)¹¹⁸, might appear to have been attempting to ensure that elite religious authority should remain untainted by any popular influence for political reasons. Yet, were that the case, and had Laelius' speech been intended to preserve elites' political dominance in the religious sphere, then it is difficult to understand Scipio's and Laelius' apparent support for a bill to introduce the secret ballot into trials before the *populus*, except those for high treason (*perduellio*).¹¹⁹ Moreover, Laelius' speech, *De Collegiis*, against this proposal on tampering with the traditional way of selecting priests, was perhaps his most famous. In it he apparently lectured the People on the proper ways to worship the gods, even down to the detail of the correct use and intended purpose of pontiffs' ladles (*simpuvia*), so pleasing to the gods, and the tiny ritual pots (*capeduncululae*), said to have been handed down by King Numa.¹²⁰ Another of Scipio's associates, L. Furius Philus, may well have written a book containing precise ritual *formulae* for luring the Dea Caelestis away from Carthage, as well as the *devotio* of the town of Carthage and its armies. As for Scipio himself, just as his father L. Aemilius Paullus had done at Amphipolis, he burned and dedicated war spoils to Mars and Minerva.¹²¹ Like Paullus, he also offered victory games to the gods on the site of the conquered city, throwing deserters to the beasts.¹²² These actions were in homage to the memory of his father, but throughout his career Scipio Aemilianus missed no opportunity to honor the gods while on military campaign. For example, in Spain he counseled L. Furius Philus in the infamous fetial procedure by which Mancinus was handed over to the Numantines as a would-be human sacrifice, and at Carthage he vowed a temple to *Virtus*.¹²³

¹¹⁷Cic. *Amic.* 96; *Brut.* 83; *Nat.D.* 3.5. For Laelius as augur, see Cic. *Phil.* 2.82–83 (*bonus augur*); *Amic.* 7–8, with Broughton, *MRR* 1.479, suggesting that both Scipio and Laelius were augurs before Laelius' consulship in 140.

¹¹⁸For the plebs' support in his consular election, see App. *Lib.* 112; Liv. *Per.* 50, cf. Astin 1967: 26–34 (“*Popularis*”).

¹¹⁹See Gruen 1968: 39 for discussion and sources; cf. Broughton, *MRR* 1.485.

¹²⁰Cic. *Nat.D.* 3.17.43; *Resp.* 6.2.2.

¹²¹Liv. 45.33.1; App. *Lib.* 133, with Astin 1967: 341.

¹²²Liv. *Ep.* 51.

¹²³Plut. *Mor.* 318d–e; on Scipio's religious activities and the Mancinus affair, see Rawson 1991: 89.

This brings us back to the siege and sacking of Carthage, and the tradition that Scipio resorted to an *evocatio* of Carthage's tutelary deity.¹²⁴ The question of the historicity of the *evocatio* of Juno Caelestis—and any other deities that may have been protecting the city—is certainly not above suspicion, and in a fine, incisive analysis of the issue, Elizabeth Rawson herself remained equivocal.¹²⁵ There was clearly a great swirl of religious activity surrounding Carthage's fall: games, sacrifices, and a solemn curse of the site. As far as the *evocatio* itself is concerned, Macrobius, citing Book Five of the third-century C.E. Serenus Sammonicus' *Secret History* as his source (whose own ultimate source may have been M. Verrius Flaccus, no mean authority), mentions "an ancient book of a certain Furius" (*cuiusdam Furi vetustissimus*), containing detailed formulae for the *evocatio* at Carthage and ritual prescriptions for the formal *devotio* of the city and its armies.¹²⁶ Scholars generally take this "certain Furius" to have been no other than L. Furius Philus, Scipio Aemilianus' close friend and associate. If he was the author, then we can see that Furius and Scipio were cleverly alluding to the most famous *evocatio*—the calling forth of Juno from Veii—since that famous event, as Rawson pointed out, fell in a year in which the most famous member of the Furian *gens*, Camillus, was dictator, and a Cornelius, perhaps of the branch of the Scipiones, was master of the horse.¹²⁷ It is, however, disturbing that none of the narrative sources for the destruction of Carthage—even our most detailed one, the account of Appian—mentions the *evocatio*, but this fact is mitigated by the likelihood that their main source was most certainly Polybius, who seems to have skirted the entire question of Aemilianus' intense religious interests and ritual practices.¹²⁸

We cannot, therefore, accept Scipio Aemilianus' *evocatio* of Juno Caelestis at Carthage as an historical event beyond question, but we can think about what its intended audiences might have been and what impact it would likely have had on them, in the event that it did happen.¹²⁹ Rome's final solution at Carthage had sharp critics, as we know from Polybius, whose history frequently admonishes the Romans to live up to their "public transcripts" and always to remember not to depart from ancestral virtues and measured restraint under the weighty temptations of unbridled imperial success.¹³⁰

¹²⁴See Broughton, *MRR* 1.467 for sources.

¹²⁵See Rawson 1991: 80–101, esp. 93–101, to which I am greatly indebted in this paragraph.

¹²⁶Macrobius, *Sat.* 3.9.6 (*evocatio*); 3.9.10 (*devotio* and curse).

¹²⁷Plut. *Camill.* 5.1; Liv. 5.19.1–2.

¹²⁸Cf. Rawson 1991: 96, "it is true that the main source for these accounts, the practical Polybius, may not have been interested."

¹²⁹For what it is worth, Serv. *ad Aen.* 12.840, considers Scipio's *evocatio* at Carthage as an established fact.

¹³⁰Polyb. 36.9.1–10.1, for Polybius' representation of Greek viewpoints on the action against Carthage in 146, with Champion 2004a: 195–97. Thornton 2013a, considers Polybius' admonitions and Roman "public transcripts."

Considerations as to how the political classes of the Mediterranean world, and of Greek statesmen in particular, would respond to the events at Carthage would not have been lost on Scipio Aemilianus, who had Polybius at his side during the final stages of the siege.¹³¹ From Polybius' well-known, cynical assessment of elites' religious practices, which stands at the inception of the elite-instrumentalist interpretation of Roman religion, we should not think that shrouding his military actions at Carthage in painstaking religious ritual would have served Scipio Aemilianus well in this regard. Polybius' famous analysis is not the only evidence leading to such a view. In a speech delivered to the Achaeans at Aegium by the Aetolian statesman Archidamus in 192, we find scathing Greek criticism of Flaminius' obsessive compulsions about religious injunctions and ritual imperatives.¹³²

Given Scipio Aemilianus' religious interests and apparent attention to orthopraxy, recourse to the ancient ritual of *evocatio* and the reinvention of that tradition would have been in keeping with his style (*pace* Polybius).¹³³ As is the case with his other religious preoccupations, the *evocatio* of Juno Caelestis at Carthage would have had little impact on non-Roman public opinion—especially that of Greek statesmen—on the fall of Carthage. Perhaps it would have been more important for the rank-and-file soldiers in the besieging army, divine approval and assistance lending much needed energy for the final push to take the beleaguered city. But it would be easy to overestimate this factor, if we fail to remember that the army was dispersed in various theaters of action during the siege. Many at best would only have heard that their general had performed the ritual of *evocatio* of Carthage's protecting deity. And if we are to think that Scipio was looking ahead to triumphal celebrations in Rome on the occasion of Carthage's demise, would the importation of the little-known Carthaginian goddess Tanit, restyled as Juno Caelestis, have significantly influenced the adoring crowds, whose attentions would have been diverted this way and that in the dizzying spectacle of the triumph, in welcoming home their conquering hero? Finally, if we accept the *evocatio* of Juno Caelestis at Carthage as historical and search for an elite-instrumentalist interpretation of it, we again come up against the problem of the discrepancy between the degree of effort required and net political gain. Regardless of whether we accept the historicity of Scipio Aemilianus' *evocatio* at Carthage in 146, these objections to any elite-instrumentalist

¹³¹ See Polyb. 38.19.1 (Plut. *Mor.* 200a): Polybius as Scipio's trusted military adviser. According to Julian the Apostate, Polybius himself formed part of a *testudo* to breach Carthage's walls (Amm. Marc. 24.2.14–17).

¹³² Polyb. 6.56.6–13; Liv. 35.48.13; see also Plut. *Comp. Philop. et Flamin.* 2; cf. Plin. *HN* 28.11.

¹³³ Some scholars, perhaps unduly influenced by Polybius' portrait of Aemilianus, have, unnecessarily in my view, seen the *evocatio* at Carthage not only as a piece of religious revivalism, but also as a disingenuous ruse of ostentatious piety. See Rawson 1991: 93–101; on the curse on Carthage, see Cic. *Leg. Agr.* 2.19.51; cf. App. *Lib.* 135; Oros. 4.23.6, with discussion and further sources at Walbank, *Comm.* 3.720–25; cf. Gustafsson 2000: 59–60.

interpretation of it apply equally well to many of the instances of accumulative civic polytheism at Rome we have studied, whose historicity is beyond question. It may be better to jettison elite-instrumentalism entirely in this instance, and to assume that Scipio Aemilianus' *evocatio* of Juno Caelestis at Carthage (if it is indeed historical), was much like the medieval *clamores* in eleventh-century Francia, insofar as it represented a pragmatic effort to negotiate for divine favor in a matter of great earthly importance. We are now in a position to consider the religious phenomenon of middle republican elites' purchase on accumulative civic polytheism, of which *evocationes* were manifestations, with the aid of some theoretical models.

Psychological studies on attitudinal ambivalence and pragmatic situational contexts, as well as cognitive dissonance theory, afford insights into elite religious behaviors in this instance. We can recall the work of the psychologists Jonas, Broemer, and Diehl on "attitude objects" and the activation of positive beliefs in contexts that make them salient.¹³⁴ It would be difficult to imagine a situational context more evocative of "belief" as I have defined it for this study than the protracted, frustrating, and long-unfruitful siege of Carthage in 146. In chapter 3 we saw time and again examples of what might be called the "heightened religiosity" of commanders in the field of military operations. It is difficult to imagine any general in a more highly charged emotional state and intense psychological condition than Scipio Aemilianus must have been before Carthage. For Aemilianus, the siege and fall of Carthage were not only the culmination of a meteoric individual career; rather, the final defeat and destruction of Rome's arch-nemesis must have seemed like the climax of his city's history. Psychological studies suggest that in such extraordinary situations, especially when they are life-threatening, religious practices, such as the *evocatio* of Juno Caelestis, provide some means of psychological security and mitigation of anxiety.¹³⁵ Cognitive dissonance theory once again underscores the inadequacy of any elite-instrumentalist approach. The idea that Scipio Aemilianus, in the midst of the desperate operations leading to Carthage's sacking, took time to stage a ritual revival that for him was nothing more than an elite-instrumentalist charade has little to commend it.

Another psychological study by Joni Sasaki and Heejung Kim demonstrates "sociocultural moderators for the effect of religion."¹³⁶ In other words, culture has a determinative effect on the forms in which religious practices find expression. In their study, Sasaki and Kim set up well-constructed experiments to test how organized religious practices in Christianity are manifestations of the cultures in which they take place. Their experiments focused

¹³⁴Jonas, Broemer, and Diehl 2000.

¹³⁵See Vail, Rothschild, Weise, Solomon, Pyszczynski, and Greenberg 2010 on "terror management theory."

¹³⁶Sasaki and Kim 2011.

on European/American culture, which they characterize as “individualistic,” and South Korean culture, which they characterize as “collectivist.” This study found that important benefits of religion are “primary control,” “secondary control,” and “social affiliation.” *Primary control* “refers to the attempt to influence the external environment according to the self’s needs,” whereas *secondary control* “refers to the attempt to adjust part of the self to accept the situation.” *Social affiliation*, on the other hand, describes the benefit of “fellowship with others and formal involvement in other social activities,” and religious communities’ ability to “offer members the benefits of social ties and increased social support to help . . . cope with mental and physical stress.”¹³⁷

How might we think about Scipio Aemilianus’ *evocatio* of Juno Caelestis at Carthage in light of this psychological research? In other words, how could we understand “sociocultural modifiers for the effects of religion” in this case? It is a commonplace to talk about the pragmatic nature of Roman culture: the obsession with bending external conditions to Roman will. Indeed, Polybius underscores this aspect of the Roman character, with some degree of censure and disapproval.¹³⁸ Religious orthopraxy worked to create the optimal conditions for what was desired in this world; it was not a practice with eschatological aims. And it could not guarantee successful outcomes, as the relationship between human and divine in elite religious practices was unequal, quasi-contractual, but not reciprocal. This characterization goes a long way to understanding what lay at the heart of what I have called accumulative civic polytheism. Consequently, ineffectual ritual performances could be repeated in the hopes that they would have better results in the iteration, and new gods and goddesses could be introduced and honored when old methods with established deities failed to deliver or needed supplementation. In terms of the psychological study we have been considering, elite religion seems to conform to “primary control.” Consideration of Scipio Aemilianus’ *evocatio* at Carthage, whether we accept its historicity or not, highlights these basic characteristics of republican elites’ religion, as we have seen it in operation throughout this book.

IV. SOME THEORETICAL MODELS, ACCUMULATIVE CIVIC POLYTHEISM, AND CONSTITUENCIES

In chapter 1, I maintained that in his programmatic statement on elites’ judgment on religious matters (ἡ περὶ θεῶν διάληψις), according to which they worked to instill religious awe (δεισιδαιμονία) among nonelites in order

¹³⁷Sasaki and Kim 2011: 401–402. Their research posits that European/American cultures are more oriented to “primary and secondary control,” whereas South Korean culture exhibits a proclivity to “social affiliation” in organized religious practices.

¹³⁸Polyb. 1.37.6–10, with Champion 2004a: 199 and n.89.

to curb their irrational passions and urges, Polybius set the tone for elite-instrumentalist interpretations of Roman religion.¹³⁹ Two modern intellectual traditions have also undoubtedly had a strong influence in securing and perpetuating elite-instrumentalist readings of elites' religious behaviors. First, the impact of the writings of Karl Marx and subsequent Marxist thought on a diverse array of academic disciplines is almost incalculable, and the study of ancient Greek and Roman religion, I would argue, is no exception.¹⁴⁰ Within Marxism we find no more explicit statement of ideology, which must encompass the sphere of religion as the "opiate of the masses," than in the introduction to *The German Ideology* (1846):

The ideas of the ruling class are in every epoch the ruling ideas: i.e., the class which is the ruling *material* force of society, is at the same time its ruling *intellectual* force. The class which has the means of material production at its disposal, has control at the same time over the means of mental production, so that thereby, generally speaking, the ideas of those who lack the means of mental production are subject to it.¹⁴¹

Second, functionalist sociology, of which Talcott Parsons was a strong advocate, posited a totalizing view of culture, but it did not emphasize class relations, and the role of ideology in upholding and legitimating class inequality, to the same degree as we find in Marxist thought. Consequently, Parsonian functionalist sociology does not so readily lend itself to elite-instrumentalist interpretations of religion as does the passage we have quoted from *The German Ideology*, but insofar as it stresses culture's overwhelming determining force over individuals' actions, it has contributed to a way of thinking that diminishes human agency, even though in its case elites are apparently just as enmeshed in culture's inexorable web as nonelites.

In both the Marxist tradition and Parsonian sociology, there is little room for individual human agency. Indeed, in the works of profoundly influential theorists, such as Gramsci, Habermas, Foucault, and members of the so-called Frankfurt School, or in the voluminous writings of the sociologists Durkheim and Parsons, the individual can seem to disappear entirely. The emphasis tends to be on the collectivity, and either explicitly or implicitly, the nonelite individual, when mentioned at all, becomes a sort of automaton, pushed and pulled this way and that, almost invariably in the service of upholding and maintaining the social and economic status quo to the advantage of elites. Nonelites become mere cogs in the wheel of the state, society, collective consciousness, the dominant culture, or what have you, and it is

¹³⁹Polyb. 6.56.6–15.

¹⁴⁰To the best of my knowledge, the most ambitious undertaking in Marxist interpretation of Mediterranean antiquity is De St. Croix 1981.

¹⁴¹Text as in Tucker 1978: 172.

the work of ideology, of which religion may be understood as a part, to keep them that way.

Among such totalizing analysts of society and culture, aside from Marx himself, Michel Foucault has perhaps had the most noticeable impact for classicists and ancient historians in expunging individuals and individual human agency from history, but I would like to consider briefly a well-known essay of another important, if now less iconic, figure, Louis Althusser, whose comprehensive theory of the state and its fathomless imprinting on human subjects epitomizes this approach. In his famous piece, "Ideology and Ideological State Apparatuses (Notes towards an Investigation)," Althusser maintained that in the modern, industrialized nation-state, we can talk about "RSAs" ("Repressive State Apparatuses") and "ISAs" ("Ideological State Apparatuses").¹⁴² The former consist of all the ways in which a state imposes itself on subjects through the use of potential or actual physical force: Government, Administration, Army, Police, Courts, and Prisons. More pervasive, and insidious, for Althusser is "Ideology," which, much like Foucault's nebulous Power, conditions and controls individuals at subterranean levels, operating at some immeasurably deep psychic substratum. Its instruments are the "RSAs" at a rather brutish, tangible, and sensate level, functioning repressively by violence, and the "Ideological State Apparatuses," of a more rarified, but all-encompassing and all-powerful order, which are expressed in both institutional forms, such as schools, churches, and trade unions, and in informal manifestations, such as family, media, and culture in its manifold guises. All of these "ISAs" serve to *interpellate* each and every one of us, by which Althusser means to say that individuals exercise only an apparently free choice in coming upon their beliefs and moral bases for action, but that in actuality they are *always-already* subjects of an ideology, which circumscribes and informs their actions. The ineluctable, repressive power of Althusserian ideology, then, expunges the individual, just as it engenders in the subject the illusory false consciousness of autonomy and freedom.

This is a radical, and disquieting, theoretical construct. I cite it because it underscores the kind of totalizing, determinative discourses that I want not only to critique, but also to take as a starting point and building block. While I reject Althusserian "ideology and ideological state apparatuses" and similar theoretical approaches in their extreme forms as aids for understanding human behaviors, both collective and individual, at the same time I do not wish to throw the baby out with the bath water, as it were. In a tempered form, and especially in the idea that one's society and culture provide contours and boundaries of the field upon which human agency is exercised, we have in the Marxist tradition and Parsonian sociology cues for a penetrating theoretical lens through which to view religious behaviors during the Middle

¹⁴²Text as in Žižek 1994: 100–140, with Merquior 1979: 103–108.

Republic. Three theorists in particular—Pierre Bourdieu, Anthony Giddens, and Quentin Skinner—can help us to think about what a theory might look like that both acknowledges the weighty, pervasive, molding, and perhaps largely subconscious influences of societal and cultural preconditions, at the same time that it allows for a significant degree of individual autonomy and agency. In Bourdieu’s well-known notion of the *habitus* (though he was not the first to use the term), the individual is in a constant dialectical relationship with a socialized set of mental dispositions and beliefs which guide—but do not absolutely determine—action. *Habitus* is not something that the individual historical agent can hold in its totality for purposes of conscious thought and reflection (but people can, of course, like Bourdieu himself, reflect on it in part); it nonetheless provides indwelling parameters within which behaviors are circumscribed.¹⁴³

Similarly, the “structuration theory” of Anthony Giddens is a sophisticated attempt to recognize the immanence of societal structures that at the same time allows individuals to transform those structures as they reproduce them. Giddens contrasts his “structuration theory” with Durkheimian sociology as follows: “The structural properties of social systems . . . are like the walls of a room from which an individual cannot escape but inside which he or she is able to move around at whim. Structuration theory replaces this view with one which holds that structure is implicated in that very ‘freedom of action’ which is treated as a residual and unexplicated category in the various forms of ‘structural sociology.’”¹⁴⁴ Finally, in various writings Quentin Skinner has been concerned with available ideological conventions and authorial interventions and maneuverings within them. As he maintains, “Any course of action is inhibited from occurring if it cannot be legitimated. The nature and range of the evaluative concepts which any agent can hope to apply in order to legitimate his behaviour can in no case be set by the agent himself. Their availability is a question about the prevailing morality of the society in which the agent is acting; their applicability is a question about the standard meaning and use of the terms involved, and about how far these can be plausibly stretched. . . . [The agent] cannot hope to stretch the application of the existing principles indefinitely.”¹⁴⁵

The ideas of these three thinkers—Pierre Bourdieu, Anthony Giddens, and Quentin Skinner, so different in many respects—have this important commonality: they restore human agency while insisting that it is bound by and infused with inscribed societal and cultural rules, which do not necessarily

¹⁴³Bourdieu 1977: 72, *habitus* as “systems of durable, transposable dispositions,” structuring social practices, “without in any way being the product of obedience to rules,” and “without being the product of the orchestrating action of a conductor.”

¹⁴⁴Giddens 1984: 174.

¹⁴⁵From the essay “Some Problems in the Analysis of Political Thought and Action”; quotation as in Tully 1988: 117.

register in their entirety at the subjective, conscious level of the historical actor. This shared, basic characteristic of these three theorists makes their work "good to think with" in trying to understand the religious behaviors of elites. This is because they lived in a decidedly rule-bound, seemingly rigid aristocratic culture, tralatitious in nature and beholden to the fundamental conception of *mos maiorum*. This was most pronounced in their religious life. But since their religion was a religion of practice, formalistic in its ritual prerogatives, and somewhat contractual in nature, it ensured a certain degree of latitude in human negotiation with the gods and interpretation of their communications. Herein lay the wiggle room for the elite practitioner; the possibility for human agency.

Scipio Aemilianus' possible *evocatio* at Carthage brings us to the heart of elites' religion and what they were *doing* in creating, practicing, and maintaining the state religion. The Senate and priests (comprised of the same group of elites, it is well to remind ourselves), determined what practices constituted the official religion of the *res publica*, and this included the acceptance and worship of new deities, additions to the state pantheon. *Evocatio* was the most dramatic way in which a new god or goddess could be brought to the city, but it in fact probably provided only the smallest fraction of the legion of new deities introduced into Rome. Our sources (primarily Livy), clearly show that religious innovations (usually couched as ancient practice) and the adoption of new gods nearly always came at times of crisis or imminent threat (real or perceived) to the commonwealth. Remembering the pragmatic aspects of Roman religion, we can see this as a question of outcome assessment and hedging one's bets. If the old gods and rituals were failing to deliver, then a new god or a "rediscovered" ritual might well prove to be more efficacious.¹⁴⁶ The result was the nonhierarchical bricolage of priestly colleges, the archaic, at times nearly unintelligible, priestly functions, and the recondite, half-forgotten deities studied in chapter 2. In all of this, as we have seen, elites painstakingly observed all of the minutiae of ritual protocol to an excruciatingly fine point. In much the same vein as the questions raised by consideration of Hongli, the Qianlong emperor of China, and his funeral preparations for the Yuling mausoleum, with which we began this study, we can ask: why and for whom did they do this?

A return to cultural theory can help in trying to answer these questions. In a study that has not received enough scholarly attention, Abercrombie, Hill, and Turner argued against the notion of the pervasiveness and irrepressible power of a "dominant ideology" from "feudalism" through "late capitalism," maintaining instead that the very idea of a coherent, dominant ideology, whose influence, in Althusserian fashion, no one can escape, is

¹⁴⁶Cf. Bendlin 2000, who employs the metaphor of the marketplace in order to understand religious pluralism at Rome in the late Republic.

wrong-footed, and that social classes and cultural groups within a given society eclectically subscribe to, emphasize, downplay, or ignore, and modify aspects of what we might think of as prevailing normative prescriptions. As they observe in considering religious ideology (drawing on Max Weber's *The Sociology of Religion*), "each society has a dominant religious tradition . . . and, out of that tradition, each social class by a process of 'elective affinity' between belief and interest selects a particular motif which gives expression to the social and psychological needs of class members."¹⁴⁷

The basic issue here, then, to put it in its simplest terms, is the question as to whether we should be thinking about religious culture (in the singular) or religious cultures (in the plural). In our own cybernetic world of nearly instantaneous telecommunications, we might think that a shared, common culture, encompassing enormous geographical spaces, has been made more feasible through technological advances. And in some measure we would be correct in this assumption. But even here there is reason to pause: we need only think of the multitude of subcultures existing on the internet. Far from forging a uniform, homogeneous common culture in the vastness of cyberspace, the internet, we could argue, has fostered an increasing fragmentation of any putatively common culture in the proliferation of special-interest web sites. *A fortiori*, in a society without such effective technological means to disseminate cultural information and ideological messages, such as ancient Roman civilization, such cultural fragmentation, resulting in subcultures (including religious subcultures), would be the norm. This brings us back to arguments made in chapter 2 about the autonomy of nonelites in the religious sphere and the likelihood that many of the subtleties, nuances, and details of elite religious practices would have been lost on them. There is no reason to reprise those arguments in any detail here, but it is worth reiterating that if we accept this much, we must also accept the idea that in large part elites' religious practices—and here I am especially thinking about those practices in their rigid formalism and painstaking exactitude—were produced for and consumed by elites.¹⁴⁸

Our focus should not be on how accumulative civic polytheism may have worked on nonelites, but rather on how its logic responded to elites' own religious needs. A proper context for thinking about this is the staggering level of uncertainty and insecurity in the world they inhabited. Aside from high levels of infant mortality, relatively short life expectancies, hazards to personal safety resulting from the fact that ancient Rome was a self-help society, potentially lethal ailments and diseases, many of which in today's world

¹⁴⁷ Abercrombie, Hill, and Turner 1980: 33; cf. Merquior 1979: 1–38 on "sectional interest ideologies."

¹⁴⁸ Cf. Abercrombie, Hill, and Turner 1980: 3, "As a general rule, historical studies of the dominant classes . . . suggest that the dominant class was more exposed and more receptive to the dominant ideology than subordinate classes."

could be remedied by inoculations, vaccines, or strong doses of antibiotics—all of which dangers affected everyone—the ruling elite also contended with nearly constant, harrowing pressures in maintaining order and security, at home and abroad. The period under consideration, conventionally called the Middle Republic, was—as Polybius stressed—a time of startling historical change, resulting in the Republic exercising hegemony over the entire *oikoumene*. A burgeoning, ethnically diverse population in Rome itself, which at times must have seemed unruly and nearly ungovernable, devastatingly brutal wars and horrific casualty figures in the first two military encounters with Carthage, unprecedented socioeconomic dislocations in Italy and military recruitment crises, conquering generals whose unprecedentedly magnificent victories and resultant *auctoritas* could threaten to disrupt the level playing field for senatorial politics in the capital, political upheavals at Rome and growing discontent among the Italian allied states, rumors and reports of external military threats, which might prove to be real or imagined, but in any event could take weeks for trustworthy communications to make clear, one way or the other—these were some of the fruits of Rome's imperial success.¹⁴⁹ We know a great deal about how the story turned out, that in spite of these times of revolutionary turbulence and upheaval, Rome would in a certain sense weather the storms, and after political convulsion and brutal civil war emerge with a new political dispensation under Octavian-Augustus to enjoy the relatively prosperous and tranquil times of the *pax Romana*. Even for our period, the sources frequently present the picture of self-assured senators rationally and calmly dictating the fate of their world.¹⁵⁰ Senators and generals living through these events, however—men who did not know how the story would turn out—would most likely have seen things differently, and the turbulence, chaos, and upheavals they faced placed great strains on their religious assumptions. In this period, they frequently resorted to more elaborate, or repeated, or even entirely novel religious practices in order to address situations they encountered.

CONCLUSION

In this chapter I have drawn on psychological, sociological, anthropological, and cultural theories in order to understand elites' religious practices. There are a few indications that elites could make critical, skeptical, cavalier, and even disparaging remarks about religion, although we have noted that most of these remarks are found in sources later than the period that is the main

¹⁴⁹I have provided a fuller sketch of the negative consequences of Rome's imperial success in this period, with references, in Champion 2004a: 204–233, esp. 204–214.

¹⁵⁰This is especially true of Polybius; see, for example, his account of the senators' collective response to the debacle at Cannae at 3.118.5–10.

focus of this study (and even these cannot be taken at face value). Elites' apparently incredulous attitudes in these cases command attention. With a focus on the famous Athenian "philosophical embassy" to Rome of 155, in which Roman elites were exposed to and to some degree participated in skeptical philosophical discourses, I have insisted that we attend to social and cultural contexts. Baldly stated, elites could engage in such discourses, and perhaps make joking or seemingly incredulous statements concerning the gods, in the appropriate social and cultural contexts. In other words, a senator might discuss the nature of the gods and even the possibility that they are man-made constructs with a Greek philosopher in an informal social setting, while in a formal religious context, as a priestly functionary, he would still take the demands and prescriptions of his ritual duties earnestly. Attending to situational contexts, we need not see such seeming contradictions as problematic. Psychological research in social cognition and attitudinal ambivalence supports such a position.

The historical episode of Scipio Africanus on military campaign in the autumn of 190 as Salian priest is a good litmus test for a critique of elite-instrumentalism. In mounting resources and devising strategy for the showdown against Antiochus the Great with his brother Lucius—the nominal commander of the expedition—Scipio was the senior military authority, with an unparalleled track record of military achievement. Yet at the moment when Antiochus was reeling from naval defeat at Myonnesus and was apparently ready to submit, a time when forcing a military decision would have seemed most compelling, Scipio delayed on the European side of the Hellespont in order to observe the strictures of his Salian priesthood. In terms of military strategy, I have argued that the idea that Scipio was cautiously biding time to allow his allies to gather their forces is inconsistent with Scipio's bold military initiatives at other points in his career. In terms of Scipio's motivations and behaviors, cognitive dissonance theory would suggest that the psychological tension would probably have been unbearable, if in elite-instrumentalist fashion he was disingenuously engaging in ersatz religiosity, contrary to his true beliefs. It may be better to entertain the notion that he acted as he did from genuine conviction.

Another case study is Scipio Aemilianus' supposed *evocatio* at Carthage in 146. While its historicity is not beyond question, Aemilianus' evocation of the Carthaginian tutelary deity would have been an understandable step to take at the end of a long, arduous, and unproductive siege of Rome's arch-nemesis. Even if we do not accept the *evocatio* at Carthage as an historical event, its story still underscores persistent themes of this study: elites' religious preoccupations in parlous times, their careful attention to religious prescriptions and ritual details, and—most important—the question of the intended audiences of elites' religious practices. Here we can remember that in their exactitude and demanding details, elites' religious behaviors went

far beyond the point of diminishing returns from any elite-instrumentalist perspective. This last point led us to a consideration and critique of totalizing theories of culture, and the insistence on focusing on elites' religious culture among other religious cultures, a religious culture created, practiced, and consumed by elites, for the gods.

Epilogue

It was not any superstition on our part or ignorance of ancient gods
That imposed these solemn rituals on us, this customary feast, this
altar of divine immanence,
But rather it is because the gods have saved us from savage dangers
That we renew and celebrate their worship.

—Vergil, *Aeneid* 8.185–89

Polybius casts a long shadow. More than any other ancient historian, in his frequent methodological pronouncements he helps us to understand the conceptual underpinnings of ancient Greek and Roman historiography. In his uncompromising rigor and relentless adherence to his principles of correct historiographical procedure, he, along with Thucydides, set the standard for subsequent historians on how to write history properly. His history—both what is left of it in fragmentary form and as it is reproduced by Livy—is our most important source for the historical reconstruction of Rome’s rise to domination of the Mediterranean basin and Greek East. His political theory of the *anacyclosis*-cycle and the mixed constitution has had a profound impact on western political thought. And his famous pronouncement on the Roman aristocracy’s approach to religion (6.56.5–13), stands at the inception of what I have called elite-instrumentalism. This view of Roman elite religion held sway for more than two thousand years, and even though it has been criticized, it still finds expression in recent scholarship, albeit in muted tones. The idea of heterarchy as opposed to hierarchy, social-psychological literature, with its theories of situational context, attitudinal ambivalence, and cognitive dissonance, the strictures and conventions of ancient literary genres, and cultural theories can all complement elite-instrumentalism in helping us to formulate more satisfying historical interpretations. It has been my purpose in writing this book to employ these various perspectives, as well as the notion of elite-instrumentalism itself as an historical counterfactual model, in order to understand elites’ religious practices during the Middle Republic.

Polybius was a well-educated, intelligent man and an astute political commentator, and it would certainly be ill-advised to discount what he has to say about the Romans and their religious practices. Since his intended audience clearly included Roman elites, it is safe to conclude that senators read his history, and that they understood and even to a certain extent approved of his statements on their approaches to the state religion. They surely were aware that official religious institutions to some degree bolstered their political and social domination of nonelites, and that those institutions did indeed at some level serve to preserve and maintain political structures, social hierarchies, and economic relationships. Thus elite-instrumentalism is valid up to a point in any account of Roman elite religion, and the arguments in this book have not been designed to contest this. I have nevertheless argued that elite-instrumentalism—whether explicitly stated or implicitly (and perhaps unconsciously) presumed as a primary causal explanation—has played, and continues to play, too dominant a role in scholarship on Roman religion, but that it also can be used productively in an exercise in historical counterfactual thinking. In making my arguments, I have focused more on what elites of the Middle Republic actually did in their religious practices, rather than on what they may have said or written about it.

The question I have set out to explore can be stated briefly: Did elites of the Middle Republic believe in their gods? But “belief” is a loaded word, with manifold aspects and a myriad of possible definitions, and many, but by no means all, professional academics do not seem to be quite comfortable with any of them. The basic definition of “belief” as I have conceived it for the study of Roman elites’ religious practices is as follows: *a genuine, collective conviction on the part of governing elites that Roman success, and indeed the city’s very existence, depended on maintaining correct relations with the gods through orthopraxy, or exactingly accurate performances of religious ceremony, ritual, and sacrifice*. Based on this definition and within defined class and chronological parameters, my answer to the question is affirmative.

We have studied the religious behaviors of middle republican elites according to three categories: *domi* (focusing on the state religion and its formal structures in the capital); *militiae* (focusing on the religious preoccupations and actions of generals in the field of military operations); and *domi militiae-que* (focusing on the interplay between traditional religion at Rome and external religious influences). Whether we look to the chaotic, nonhierarchical nature of the priesthoods, the vaguely defined and overlapping competencies of the various individual priests, and the religious disputes carried out by religious authorities in public in Rome itself, or to the seeming obsession with correct ritual procedures and obtaining favorable indications from the gods on the part of commanders in the most parlous of battlefield circumstances, or to the bewildering number of deities introduced into Rome as a result of elites’ commitment to accumulative civic polytheism, through which they

construed and adjusted to the divine will in an attempt to uphold the *pax deorum*, or to state-sponsored human sacrifice in times of perceived danger, we have found elite instrumentalism as a primary mode of historical explanation to be inadequate. In its stead I have drawn on various theories in admittedly eclectic fashion in order to offer provisional alternatives. First, since elite religion was in large part a matter of *savoir faire*, rather than *savoir penser*, I have argued that we must never lose sight of social and cultural contexts in trying to understand elites' religious behaviors. I have also tried to establish grounds on which we can employ insights from psychological research in areas such as cognitive dissonance or attitudinal ambivalence theory, as well as those gained from studies in anthropology and cultural theory, in order to come to terms with an ancient aristocratic society with cultural assumptions and parameters so radically different from anything we can easily recognize.

Keith Hopkins once pithily noted that "Romans were dangerously different." The elites who have emerged from this study were driven by insecurities, uncertainties, anxieties, and even fears. They were the official guardians of the state religion in a society for which we have reports of gods' statues sweating and purificatory rites performed as a response; the dreadful consequences feared after the foaling of a mule; the appearance of an owl and its killing on the Capitol to avert evil; discoveries of hermaphrodites who were taken out and drowned at sea; the punishment for parricide of being stripped and whipped until drenched in blood, sewn up in a sack with a dog, cock, viper, and ape, and then cast into the sea; the spectacle of two crows in flight fighting over the heads of a legislative assembly, followed by propitiatory offerings and abandonment of the proposed law; and performances of human sacrifice in times of imminent military disaster. In elites' religious conceptions, such behaviors were part and parcel of maintaining the *pax deorum*. Priests scrambled to adapt ancestral religious practices to a rapidly changing world amidst burgeoning empire and its challenges. Concerns with orthodoxy were woven into the fabric of their being, and not merely disingenuous posturing in the service of political and social control of nonelites. In the end we must allow elites of the Middle Republic what to us is their utter strangeness in the religious sphere, and resist the powerful, seductive, and facile representations of hyper-rational, skeptical, and manipulative elites presented to us by writers from Polybius through the Enlightenment critics and beyond.

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was my Director of Graduate Studies. He proved to be much more than that: teacher, confidant, counselor, and friend. In the most trying of personal life circumstances, Art reached out to me, serving as my sounding board, revealing that he too had gone through a similar traumatic experience, and offering advice on how to get through it. When I felt it necessary to withdraw from graduate school, Art made sure that I did so in a way that would allow me to return easily once I was ready. But by that time he was gone, having passed away suddenly and prematurely. I didn't get the chance to thank him for his great generosity of spirit and humane kindness.

Art liked creative, out-of-the-box conceptualizing and adventurous intellectual risk-taking. I like to think that in these terms he would have found something to admire in *The Peace of the Gods*. Reaching back more than thirty years, I dedicate this book to his memory with affection, reverence, and profound gratitude.

Chania, Crete
18 June 2016

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GENERAL INDEX

Most Roman men had three names (*tria nomina*): the personal name (*praenomen*); the extended family name; that is, the name of the clan, or *gens* (*nomen*); and an identifier of the branch of the family (*cognomen*). An example is “Gaius Valerius Corvus.” Roman names in the index are alphabetized according to the extended family name; e.g., “Valerius Corvus, Gaius.” There are two exceptions: names of familiar and famous Romans (such as Cato the Elder or Julius Caesar), and all members of the Scipionic branch of the Cornelian *gens* (e.g., “Scipio, Publius Cornelius”).

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